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THE
ANNUAL REGISTER,
OR A VIEW OF THE
HISTORY,
POLITICS,
AND
LITERATURE,
OF THE YEAR
1820.

PART II.



LONDON:

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1822.

REPORT OF THE

COMMISSIONERS OF THE

LAND OFFICE

IN RESPONSE TO A RESOLUTION

PASSED BY THE HOUSE OF COMMONS

ON THE 11TH MARCH 1881



APPENDIX TO CHRONICLE.

Message of the President of the United States of America to both Houses of Congress.

“Fellow-Citizens of the Senate, and of the House of Representatives :

“The public buildings being advanced to a stage to afford accommodation for Congress, I offer you my sincere congratulations on the re-commencement of your duties in the capital.

“In bringing to view the incidents most deserving attention, which have occurred since your last session, I regret to have to state that several of our principal cities have suffered by sickness ; that an unusual drought has prevailed in the middle and western states ; and that a derangement has been felt in some of our monied institutions, which has proportionably affected their credit. I am happy, however, to have it in my power to assure you that the health of our cities is now completely restored ; that the produce of the year, though less abundant than usual, will not only be amply sufficient for home consumption, but afford a large surplus for the supply of the wants of other nations ; and that the derangement in the circulating paper medium, by being left

to those remedies which its obvious causes suggested, and the good sense and virtue of our fellow-citizens supplied, has diminished.

“Having informed Congress, on the 27th of February last, that a treaty of amity, settlement, and limits, had been concluded in this city, between the United States and Spain, and ratified by the competent authorities of the former, full confidence was entertained that it would have been ratified by his Catholic majesty, with equal promptitude, and a like earnest desire to terminate, on the conditions of that treaty, the differences which had so long existed between the two countries. Every view which the subject admitted of was thought to have satisfied this conclusion. Great losses had been sustained by citizens of the United States from Spanish cruisers, more than 20 years before, which had not been redressed. These losses had been acknowledged and provided for by a treaty, as far back as the year 1802, which, although concluded at Madrid, was not then ratified by the government of Spain, nor since, until the last

year, when it was suspended by the late treaty, a more satisfactory provision to both parties, as was presumed, having been made for them. Other differences had arisen in this long interval, affecting their highest interests, which were likewise provided for by this last treaty. The treaty itself was formed on great consideration, and a thorough knowledge of all circumstances, the subject matter of every article having been for years under discussion, and repeated references having been made by the minister of Spain to his government, on the points respecting which the greatest difference of opinion prevailed. It was formed by a minister duly authorized for the purpose, who had represented his government in the United States, and been employed in this long-protracted negotiation several years, and who, it is not denied, kept strictly within the letter of his instructions. The faith of Spain was therefore pledged, under circumstances of peculiar force and solemnity, for its ratification. On the part of the United States this treaty was evidently acceded to in a spirit of conciliation and concession. The indemnity for injuries and losses so long before sustained, and now again acknowledged and provided for, was to be paid by them, without becoming a charge on the treasury of Spain. For territory ceded by Spain, other territory, of great value, to which our claim was believed to be well-founded, was ceded by the United States and in a quarter more interesting to her. This cession was nevertheless received as the means of indemnifying our citizens in a considerable sum, the

presumed amount of their losses. Other considerations of great weight urged the cession of this territory by Spain. It was surrounded by the territories of the United States on every side, except on that of the ocean. Spain had lost her authority over it, and, falling into the hands of adventurers connected with the savages, it was made the means of unceasing annoyance and injury to our Union, in many of its most essential interests. By this cession, then, Spain ceded a territory, in reality, of no value to her, and obtained concessions of the highest importance, by the settlement of long-standing differences with the United States, affecting their respective claims and limits; and likewise relieved herself from the obligation of a treaty relating to it, which she had failed to fulfil, and also from the responsibility incident to the most flagrant and pernicious abuses of her rights where she could not support her authority.

“ It being known that the treaty was formed under these circumstances, not a doubt was entertained that his Catholic majesty would have ratified it without delay. I regret to have to state that this reasonable expectation has been disappointed; that the treaty was not ratified within the time stipulated, and has not since been ratified. As it is important that the nature and character of this unexpected occurrence should be distinctly understood, I think it my duty to communicate to you all the facts and circumstances in my possession relating to it.

“ Anxious to prevent all future disagreement with Spain, by giving the most prompt effect to the

treaty which had been thus concluded, and particularly by the establishment of a government in Florida, which should preserve order there, the minister of the United States, who had been recently appointed to his Catholic majesty, and to whom the ratification, by his government, had been committed, to be exchanged for that of Spain, was instructed to transmit the latter to the department of state as soon as obtained by a public ship subjected to his order for the purpose. Unexpected delay occurring in the ratification, by Spain, he requested to be informed of the cause. It was stated, in reply, that the great importance of the subject, and a desire to obtain explanations on certain points which were not specified, had produced the delay, and that an envoy would be dispatched to the United States to obtain such explanations of this government. The minister of the United States offered to give full explanation on any point on which it might be desired, which proposal was declined. Having communicated this result to the department of state, in August last, he was instructed, notwithstanding the disappointment and surprise which it produced, to inform the government of Spain, that if the treaty should be ratified, and transmitted here at any time before the meeting of Congress, it would be received, and have the same effect as if it had been ratified in due time. This order was executed: the authorized communication was made to the government of Spain, and by its answer, which has just been received, we are officially made acquainted, for the first time, with the causes which have prevented

the ratification of the treaty by his Catholic majesty. It is alleged by the minister of Spain, that this government had attempted to alter one of the principal articles of the treaty, by a declaration, which the minister of the United States had been ordered to present, when he should deliver the ratification by his government in exchange for that of Spain; and of which he gave notice explanatory of the sense in which that article was understood. It is further alleged, that this government had recently tolerated, or protected, an expedition from the United States against the province of Texas. These two imputed acts are stated as the reasons which have induced his Catholic majesty to withhold his ratification from the treaty, to obtain explanations respecting which, it is repeated that an envoy would be forthwith dispatched to the United States. How far these allegations will justify the conduct of the government of Spain, will appear on a view of the following facts, and the evidence which supports them.

“ It will be seen by the documents transmitted herewith, that the declaration mentioned relates to a clause in the eighth article, concerning certain grants of land recently made by his Catholic majesty, in Florida, which it was understood had conveyed all the lands, which till then had been ungranted. It was the intention of the parties to annul these latter grants, and that clause was drawn for that express purpose, and for none other. The date of these grants was unknown, but it was understood to be posterior to that inserted in the article: in-

deed, it must be obvious to all, that if that provision in the treaty had not the effect of annulling these grants, it would be altogether nugatory. Immediately after the treaty was concluded and ratified by this government, an intimation was received that these grants were of an anterior date to that fixed on by the treaty, and that they would not, of course, be affected by it. The mere possibility of such a case, so inconsistent with the intention of the parties, and the meaning of the article, induced this government to demand an explanation on the subject, which was immediately granted, and which corresponds with this statement. With respect to the other act alleged, that this government had tolerated or protected an expedition against Texas, it is utterly without foundation. Every discountenance has invariably been given to every such attempt within the United States, as is fully evinced by the acts of the government, and the proceedings of the courts. There being cause, however, to apprehend, in the course of the last Summer, that some adventurers entertained views of the kind suggested, the attention of the constituted authorities in that quarter was immediately drawn to them, and it is known that the project, whatever it might be, has utterly failed.

“ These facts will, it is presumed, satisfy every impartial mind that the government of Spain had no justifiable cause for declining to ratify the treaty. A treaty, concluded in conformity with instructions, is obligatory, in good faith, in all its stipulations, according to the true intent and meaning of the parties.

Each party is bound to ratify it. If either could set it aside, without the consent of the other, there would be no longer any rules applicable to such transactions between nations. By this proceeding, the government of Spain has rendered to the United States a new and very serious injury. It has been stated, that a minister would be sent, to ask certain explanations of this government. But, if such were desired, why were they not asked within the time limited for their ratification? Is it contemplated to open a new negotiation respecting any of the articles or conditions of the treaty? If that were done, to what consequences might it not lead? At what time, and in what manner, would a new negotiation terminate? By this proceeding, Spain has formed a relation between the two countries which will justify any measures on the part of the United States, which a strong sense of injury, and a proper regard for the rights and interests of the nation, may dictate. In the course to be pursued, these objects should be constantly held in view, and have their due weight. Our national honour must be maintained, and a new and distinguished proof be afforded, of that regard for justice and moderation which has invariably governed the councils of this free people. It must be obvious to all, that if the United States had been desirous of making conquests, or had been even willing to aggrandize themselves in that way, they could have had no inducement to form this treaty. They would have much cause for gratulation at the course which has been pursued by Spain. An ample field of ambition is open

before them. But such a career is not consistent with the principles of their government nor the interests of the nation.

“ From a full view of all circumstances, it is submitted to the consideration of Congress, whether it will not be proper for the United States to carry the conditions of the treaty into effect, in the same manner as if it had been ratified by Spain, claiming on their part all its advantages, and yielding to Spain all those secured to her. By pursuing this course, we shall rest on the sacred ground of right, sanctioned in the most solemn manner by Spain herself; by a treaty which she was bound to ratify; for refusing to do which, she must incur the censure of other nations, even those most friendly to her, while, by confining ourselves within that limit, we cannot fail to obtain their well-merited approbation. We must have peace on a frontier where we have been so long disturbed; our citizens must be indemnified for losses so long since sustained, and for which indemnity has been so unjustly withheld from them. Accomplishing these great objects, we obtain all that is desirable.

“ But his Catholic majesty has twice declared his determination to send a minister to the United States, to ask explanations on certain points, and to give them, respecting his delay to ratify the treaty. Shall we act, by taking the ceded territory, and proceeding to execute the other conditions of the treaty before this minister arrives and is heard? This is a case which forms a strong appeal to the candor, the magnanimity and honour

of this people. Much is due to courtesy between nations. By a short delay we shall lose nothing; for, resting on the ground of immutable truth and justice, we cannot be diverted from our purpose. It ought to be presumed that the explanations which may be given to the minister of Spain, will be satisfactory, and produce the desired result. In any event, the delay for the purpose mentioned, being a further manifestation of the sincere desire to terminate, in the most friendly manner, all differences with Spain, cannot fail to be duly appreciated by his Catholic majesty, as well as by other powers. It is submitted, therefore, whether it will not be proper to make the law proposed for carrying the conditions of the treaty into effect, should it be adopted, contingent; to suspend its operation upon the responsibility of the executive, in such a manner as to afford an opportunity for such friendly explanation as may be desired, during the present session of Congress.

“ I communicate to Congress a copy of the treaty and of the instructions to the minister of the United States, at Madrid, respecting it; of his correspondence with the minister of Spain, and of such other documents as may be necessary to give a full view of the subject.

“ In the course which the Spanish government have on this occasion, thought proper to pursue, it is satisfactory to know, that they have not been countenanced by any other European power. On the contrary, the opinion and wishes, both of France and Great Britain, have not been withheld either from the

United States or from Spain, and have been unequivocal in favour of the ratification. There is also reason to believe, that the sentiments of the Imperial government of Russia have been the same, and that they have also been made known to the Cabinet of Madrid.

“ In the civil war existing between Spain and the Spanish provinces in this hemisphere, the greatest care has been taken to enforce the laws intended to preserve an impartial neutrality. Our ports have continued to be equally open to both parties, and on the same conditions, and our citizens have been equally restrained from interfering in favour of either, to the prejudice of the other. The progress of the war, however, has operated manifestly in favour of the colonies. Buenos Ayres still maintains unshaken the independence which it declared in 1816, and has enjoyed since 1810. Like success has also lately attended Chili and the provinces north of the La Plata, bordering on it; and likewise Venezuela.

“ This contest has, from its commencement, been very interesting to other powers, and to none more so than the United States. A virtuous people may and will confine themselves within the limits of a strict neutrality; but it is not in their power to behold a conflict so vitally important to their neighbours, without the sensibility and sympathy which naturally belong to such a case. It has been the steady purpose of this government to prevent that feeling leading to excess; and it is very gratifying to have it in my power to state, that so strong has been the sense,

throughout the whole community, of what was due to the character and obligations of the nation, that few examples of a contrary kind have occurred.

“ The distance of the colonies from the parent country, and the great extent of their population and resources, gave them advantages which, it was anticipated, at a very early period, it would be difficult for Spain to surmount. The steadiness, consistency, and success with which they have pursued their object, as evinced more particularly by the undisturbed sovereignty which Buenos Ayres has so long enjoyed, evidently give them a strong claim to the favourable consideration of other nations. These sentiments on the part of the United States, have not been withheld from other powers, with whom it is desirable to act in concert. Should it become manifest to the world, that the efforts of Spain to subdue those provinces will be fruitless, it may be presumed that the Spanish government itself will give up the contest. In producing such a determination, it cannot be doubted, that the opinion of friendly powers, who have taken no part in the controversy, will have their merited influence.

“ It is of the highest importance to our national character, and indispensable to the morality of our citizens, that all violations of our neutrality should be prevented. No door should be left open for the evasion of our laws, no opportunity afforded to any who may be disposed to take advantage of it, to compromise the interest or honour of the nation. It is submitted, therefore, to the consideration of the Congress,

whether it may not be advisable to revise the laws, with a view to this desirable result.

“ It is submitted, also, whether it may not be advisable to designate, by law, the several ports or places along the coast at which, only, foreign ships of war and privateers may be admitted. The difficulty of sustaining the regulations of our commerce, and of other important interests from abuse, without such designation, furnishes a strong motive for this measure.

“ At the time of the negotiation for the renewal of the commercial convention between the United States and Great Britain, a hope had been entertained that an article might have been agreed upon, mutually satisfactory to both countries, regulating upon principles of justice and reciprocity, the commercial intercourse between the United States and the British possessions, as well in the West Indies as upon the continent of North America. The plenipotentiaries of the two governments, not having been able to come to an agreement on this important interest, those of the United States reserved for the consideration of this government, the proposals which had been presented to them as the ultimate offer on the part of the British government, and which they were not authorized to accept. On their transmission here, they were examined with due deliberation, the result of which was, a new effort to meet the views of the British government. The minister of the United States was instructed to make a further proposal, which has not been accepted. It was, however, declined in an amicable man-

ner. I recommend to the consideration of Congress, whether further prohibitory provisions, in the laws relating to this intercourse, may not be expedient. It is seen with interest, that although it has not been practicable, as yet, to agree in any arrangement of this important branch of their commerce, such is the disposition of the parties, that each will view any regulations, which the other may make respecting it, in the most friendly light.

“ By the 5th article of the convention, concluded on the 20th October, 1818, it was stipulated that the difference which had arisen between the two governments, with regard to the true intent and meaning of the 5th article of the treaty of Ghent, in relation to the carrying away, by British officers, of slaves from the United States, after the exchange of the ratification of the treaty of peace, should be referred to the decision of some friendly sovereign or state, to be named for that purpose. The minister of the United States has been instructed to name to the British government a foreign sovereign, the common friend to both parties, for the decision of this question. The answer of that government to the proposal, when received, will indicate the further measures to be pursued on the part of the United States.

“ Although the pecuniary embarrassments which affected the various parts of the union during the latter part of the preceding year, have, during the present, been considerably augmented, and still continue to exist, the receipts into the treasury, to the

30th of September last, have amounted to 15,000,000 dollars. After defraying the current expenses of the government, including the interest and reimbursement of the public debt, payable to that period, amounting to 18,200,000, there remained in the treasury on that day more than 2,500,000 dollars, which, with the sums receivable during the remainder of the year, will exceed the current demands upon the treasury for the same period.

“ The causes which have tended to diminish the public receipts, could not fail to have a corresponding effect upon the revenue which has accrued upon imposts and tonnage, during the three first quarters of the preceding year. It is, however, ascertained that the duties which have been secured during that period, exceed 18,000,000, and those of the whole year will probably amount to 23,000,000.

“ For the probable receipts of the next year, I refer you to the statements which will be transmitted from the treasury, which will enable you to judge whether further provisions be necessary.

“ The great reduction in the price of the principal articles of domestic growth, which has occurred during the present year, and the consequent fall in the price of labour, apparently so favourable to the success of domestic manufactures, have not shielded them against other causes averse to their prosperity. The pecuniary embarrassments which have so deeply affected the commercial interests of the nation, have been no less adverse to our manufacturing es-

tablishments, in several sections of the union.

“ The great reduction of the currency which the banks have been constrained to make, in order to continue specie payments, and the vitiated character of it where such reductions have not been attempted, instead of placing within the reach of these establishments the pecuniary aid necessary to avail themselves of the advantages resulting from the reduction of the prices of the raw materials and of labour, have compelled the banks to withdraw from them a portion of the capital heretofore advanced to them. That aid which has been refused by the banks, has not been obtained from other sources, owing to the loss of individual confidence, from the failures which have recently occurred in some of our principal commercial cities.

“ An additional cause of the depression of these establishments, may properly be found in the pecuniary embarrassments which have recently affected those countries with which our commerce has been principally prosecuted.

“ Their manufactures, for the want of a ready or profitable market at home, have been shipped by the manufacturers to the United States, and in many instances, sold at a price below their current value at the place of manufacture. Although this practice may, from its nature, be considered temporary, or contingent, it is not on that account less injurious in its effects. Uniformity in the demand and price of an

article, is highly desirable to the domestic manufacturer.

“It is deemed of great importance to give encouragement to our domestic manufactures. In what manner the evils adverted to may be remedied, and how far it may be practicable in other respects, to afford to them further encouragement, paying due regard to all the other great interests of the nation, is submitted to the wisdom of Congress.

“The survey of the coast for the establishment of fortifications is now nearly completed, and considerable progress has been made in the collection of materials for the construction of fortifications in the gulf of Mexico and in the Chesapeake Bay. The works on the eastern bank of the Potomac, below Alexandria, and on the Peapatch, in the Delaware, are much advanced; and it is expected that the fortifications at the Narrows, in the harbour of New York, will be completed the present year. To derive all the advantages contemplated from these fortifications, it was necessary that they should be judiciously posted and constructed with a view to permanence. The progress hitherto has, therefore, been slow; but as the difficulties, in parts heretofore the least explored and known, are surmounted, it will in future be more rapid. As soon as the survey of the coast is completed, which, it is expected, will be done early in the next Spring, the engineer employed in it will proceed to examine, for like purposes, the northern and north-western frontiers.

The troops intended to oc-

cupy a station at the mouth of the St. Peter's, on the Mississippi, have established themselves there; and those which were ordered to the mouth of the Yellow Stone, on the Missouri, have ascended that river to the Council Bluffs, where they will remain until next Spring, when they will proceed to the place of their destination. I have the satisfaction to state, that this measure has been executed in amity with the Indian tribes, and that it promises to produce, in regard to them, all the advantages which were contemplated by it.

“Much progress has likewise been made in the construction of ships of war, and in the collection of timber and other materials for ship-building. It is not doubted that our navy will be soon augmented to the number, and placed in all respects, on the footing provided for by law.

“The board, consisting of engineers and naval officers, have not yet made their final report of sites for two naval dépôts, as instructed according to the resolutions of March 18th, and April 20th, 1818, but they have examined the coast therein designated, and their report is expected in the next month.

“For the protection of our commerce in the Mediterranean, along the southern Atlantic coast, in the Pacific and Indian oceans, it has been found necessary to maintain a strong naval force which it seems proper for the present to continue. There is much reason to believe, that if any portion of the squadron heretofore stationed in the Mediterranean should be withdrawn,

our intercourse with the powers bordering on that sea would be much interrupted, if not altogether destroyed. Such, too, has been the growth of a spirit of piracy, in the other quarters mentioned, by adventurers from every country, in abuse of the friendly flags which they have assumed, that not to protect our commerce there, would be to abandon it as a prey to their rapacity. Due attention has likewise been paid to the suppression of the Slave Trade, in compliance with a law of the last session. Orders have been given to the commanders of all our public ships, to seize all vessels navigated under our flag, engaged in that trade, and to bring them in, to be proceeded against in the manner prescribed by that law. It is hoped that these vigorous measures, supported by like acts by other nations, will soon terminate a commerce so disgraceful to the civilized world.

“ In the execution of the duty imposed by these acts, and of a high trust connected with it, it is with deep regret I have to state the loss which has been sustained by the death of commodore Perry. His gallantry in a brilliant exploit, in the late war, added to the renown of his country. His death is deplored as a national misfortune.

“ JAMES MONROE.

“ *Washington, Dec. 7. 1819.*”

MEMOIR OF HIS ROYAL HIGHNESS THE LATE DUKE OF KENT.

His royal highness was the fourth son and fifth child of his Majesty: he was born on the 2nd

of November, 1767, and was consequently in the 53rd year of his age at the time of his death. He was educated in part under the present bishop of Salisbury; but in the 18th year of his age went to Germany for the completion of his studies, and resided successively at Lunenburgh and Hanover, until October, 1787, when he removed, by his Majesty's command, to Geneva, and there remained until he completed his 22nd year. In January, 1790, his royal highness re-visited England, but for a few days only, proceeding immediately, in a military character, to Gibraltar. With the rank of colonel, he commanded the 7th Fuzileers, which formed part of the garrison of Gibraltar, under general O'Hara, in 1790 and 1791. In that subordinate military station, his royal highness soon became remarkable for the exact discharge of his own duties, and for demanding a similar punctuality from every man and officer under him. His attention to the appearance and discipline of his regiment was altogether exemplary and unremitting; but as he could not inspire all the military with an equal sense of the solid value of the uninteresting duties which employ so large a portion of military life, the colonel of the 7th Fuzileers was for some time an unpopular commander. He frequently issued orders on points which were of inferior moment, and enforced them rigorously, because he had issued them. By this system, by a scrupulous discharge of his own duties, an inexorable enforcement of similar strictness upon others, and an anxious interposition on behalf of every individual

who had wrongs to be redressed or claims to be recommended, he at length carried the discipline of his regiment to the highest pitch, and established for himself the most respectable military reputation. From Gibraltar his royal highness was removed to Canada in 1791. From this station he proceeded, in December 1793, through the United States to the West Indies, to join the army under the late lord Grey, and was present at the reduction of St. Lucie on the 4th of April following. On the expedition the impetuous bravery of his royal highness was manifested at St. Lucie, with too little consideration for his own safety, and too much disregard for the enemy's position. The troops were repulsed; but the Duke of Kent's high personal courage obtained him the applauses of the soldiers, and a flattering rebuke from the commander-in-chief.

At the close of the campaign of 1794, the Duke of Kent, pursuant to his majesty's commands, returned to British North America, and served at Halifax as major-general till 1796, and as lieutenant-general till 1798, when, in consequence of a severe fall from his horse, he was obliged to return to England.

In April 1799, his royal highness was created a peer by the title of duke of Kent and Strathern, and earl of Dublin, and obtained a parliamentary establishment adequate to the support of his new dignities. The following month he was promoted to the rank of general in the army, and appointed commander-in-chief in North America, to which destination he proceeded in July; but ill-health again obliged him to

return, and he arrived in England in the autumn of 1800. In March 1802, his royal highness was appointed governor-in-chief of the important fortress of Gibraltar, which office he held till the time of his decease. In May, 1802, he went to preside there in person, and exerted himself very laudably to suppress the licentiousness and dissipation of the wine-houses. The honourable attempt was made; but with doubtful success. The wine licences were withdrawn; and for a time the peaceable inhabitants of Gibraltar could carry on their business, and walk the streets, and repose within their dwellings, at less risk of insult, or outrage, than before; drunkenness disappeared from among the soldiers; cleanliness and discipline were restored, while military punishments were reduced in frequency, the hospitals emptied of their numerous inmates, and the sexton disappointed of his daily work. But the liquor merchants were driven from the enjoyment of their enormous profit, and instigated the unreflecting soldiery to vengeance for the loss of those indulgences which devoured their pay and destroyed their health. Insubordination broke out on all sides; the governor was not supported by the local authorities; and after receiving the grateful and unanimous acknowledgments of the civil population of Gibraltar, he returned from a post in which his efforts for public good were more zealous than fortunate. His royal highness thought it advisable to return to England in May, 1803, where he continued to reside till August, 1816, when economical views led him to the continent. Here he continued, residing prin-

cipally at Brussels, until May, 1818, on the 29th of which month he was married at Coburg, according to the Lutheran rites, to her serene highness Victoria Maria Louisa, youngest daughter of the late reigning duke of Saxe Coburg; widow of his late serene highness the prince of Leiningen; and sister of his royal highness the prince of Saxe Coburg, the chosen husband of our much-lamented princess Charlotte. The royal pair shortly after the solemnity, arrived in England, and were re-married, according to the rites of the English church, at Kew palace, on the 11th of July, 1818. Persevering in the economical plan which he had laid down before his marriage, the duke, a few weeks after this second ceremony, returned with his royal bride to Amorbach, the residence of the duke of Leiningen, which the duchess, who was left by the will of her late husband guardian of her son, a minor, and regent of the principality, during his minority, had occupied as her residence from the prince's death. It was during their royal highnesses' retirement at this place, that the duchess proved to be pregnant; and as her royal highness fully concurred in the sentiments entertained by her illustrious consort, as an Englishman, that her child ought to draw its first breath on English ground, they both revisited this country where the duchess gave birth to a daughter named Alexandrina Victoria, who was born at Kensington Palace on the 24th of May, 1819. His royal highness, a very few weeks before his death, took his duchess and their lovely offspring into Devonshire, to give them the benefit of its purer air and milder

climate; but unhappily fell himself a victim to a sudden attack of pulmonary inflammation, so violent as to baffle the utmost efforts of medical skill. His royal highness, in a long walk on Thursday the 13th of January, with captain Conroy, in the beautiful environs of Sidmouth, had his boots soaked through with the wet. On their return to Woodbrook cottage, captain Conroy, finding himself wet in the feet, advised his royal highness to change his boots and stockings; but this he neglected till he dressed for dinner, being attracted by the smiles of his infant princess, with whom he sat for a considerable time in fond parental play. Before night, however, he felt a sensation of cold and hoarseness, when Dr. Wilson prescribed for him a draught composed of calomel and Dr. James's powders. This his royal highness, in his usual confidence in his strength, and dislike of medicine, did not take, saying that he had no doubt but a night's rest would carry off every uneasy symptom. The event proved the contrary. In the morning the symptoms of fever were increased; and though his royal highness lost 120 ounces of blood from the arms and by cupping, he departed this life at ten o'clock, A.M. the 23rd. His royal highness was sensible of his approaching death, and met it with pious resignation. He generously said, that he blamed himself for not yielding to the seasonable advice of Dr. Wilson in the first instance, by which the access of the fever might have been checked. Every attention that skill and affection could supply was rendered to him. Prince Leopold, accompanied by

Dr. Stockmar, arrived at Woodbrook Cottage on Saturday, at two o'clock, and never left his royal brother to the last.

His amiable and afflicted duchess was most indefatigable in her attentions, and performed all the offices of his sick bed with the most tender and affectionate anxiety. She did not even take off her clothes for five successive nights, and all the medicines were administered by her own hands. She yet struggled to prevent his seeing the agony of her apprehensions, and never left his bedside but to give vent to her bursting sorrow. The later years of the duke of Kent were distinguished by the exercise of talents and virtues in the highest degree worthy of a beneficent prince and of an enlightened English gentleman. There was no want nor misery which he did not endeavour to relieve to the extreme limits of his embarrassed fortune. There was no public charity to which his purse, his time, his presence, his eloquence, were not willingly devoted, nor to the ends of which they did not powerfully conduce. At the time of his death, besides the offices and dignities which we have already enumerated, his royal highness was invested with those of a knight of the Garter, Thistle, and St. Patrick, a knight grand cross of the Bath, keeper and paler of Hampton Court Park, colonel of the Royal Scots regiment of foot, and since the year 1805, a field marshal in the army.

His royal highness was tall in stature, of a manly and noble presence. His manners were affable, condescending, dignified and engaging; his conversation animated; his information varied

and copious; his memory exact and retentive; his intellectual power, quick, strong, and masculine; he resembled the late king in many of his tastes and propensities; he was an early riser, a close economist of his time; temperate in eating; indifferent to wine, although a lover of society; and heedless of slight indisposition, from confidence in the general strength of his constitution; a kind master, a punctual and courteous correspondent, a steady friend, and an affectionate brother.

As soon as it was made known to Prince Leopold that the illness of the duke was dangerous, his royal highness hastened to Sidmouth with the greatest speed possible, where he found the report he had received but too true. After the dissolution of the duke, prince Leopold supported and upheld his afflicted sister with a manly Christian consolation, and relieved her from all responsibility in every respect, and managed every thing for her departure from this scene of woe to Kensington-palace, the duchess travelling with him in his carriage. His royal highness also took every possible care of the infant princess Alexandrina. After their return prince Leopold was unremitting in his attentions to his royal sister and niece: the former his royal highness took out daily for an airing in his carriage. Throughout the whole of this distressing event his royal highness's conduct was indeed most exemplary.

The following interesting sketch of the domestic manners of his royal highness, written by the late George Hardinge, esq. a Welsh judge, is acknowledged by

all who were honored with his familiar acquaintance, as extremely characteristic of the illustrious prince.

“ The duke, amongst other peculiarities of habit, bordering upon whim, always recommends the very chair on which you are to sit; I suppose it is a regal usage. He opened a most agreeable and friendly chat, which continued for half an hour *tête-à-tête*. So far it was like the manner of the king (when he was himself), that it embraced a variety of topics, and was unremitted. He improved at close quarters, even upon his pen; and you know what a pen it is. The manly character of his good sense, and the eloquence of his expression, were striking. But even they were not so enchanting as that grace of manner which distinguishes him. Compared with it, in my honest opinion, lord Chesterfield, whom I am old enough to have heard and seen, was a dancing master. I found the next morning at our table *tête-à-tête* that he has infinite humour, and even that of making his countenance suit the character he is to personate. One of his Joe Miller’s I annex to my narrative; though without his face (which I cannot enclose) it loses more than two-thirds of its effect.

“ In about an hour dinner was announced. The duke led the way. I was placed at the head of the table. The duke was on my right; Madame L—— on my left. The honours were chiefly done by him. The dinner was exquisite. The soup was of a kind that an epicure would have travelled barefoot 300 miles in a deep snow to have been in time for it.

“ In my efforts to be irresistible, between my two admirers, I dropped my napkin three or four times in rapid succession. It was recovered each time by the well-bred sentinel whose province it was to be careful of me; but I hated him, for I thought he almost betrayed that he was ashamed of the duty and of me.

“ The natural civility of an amiable habit in both of them appeared in two little traits of it, and which I may as well delineate here, because they occurred at the table, and we are there at present, my reader and I.

“ Louis XVIII. was upon the *tapis*, and Madame, unsolicited by me, desired one of her attendants to ask her maid for his majesty’s portrait in miniature. The duke, instead of discouraging this alert *galanterie*, in good humour improved upon it, by saying, ‘ Let her give him poor Louis Seize, and his Queen at the same time.’ It was accomplished.

“ They accidentally mentioned the famous Dumourier; I said that I loved seeing those whom I admired unseen, upon report alone, and in the mind’s view. ‘ But I shall never see Dumourier,’ said I, ‘ for he is the Lord knows where (and I cannot run after him) upon the Continent.’ ‘ Not he,’ said the duke, ‘ he is in this very island, and he often dines with us here.’ I looked, but said nothing; my look was heard. Madame asked the duke (for it is a word and a blow with her) if it could not be managed. ‘ Nothing more practicable,’ said he. ‘ If the judge will but throw down his glove in the fair spirit of chivalry, Dumourier shall pick it up.’

“ The servants, though I could not reconcile myself to the number of them, were models of attention, of prosperity, and of respect; their eyes seemed as if they had been made only for us; their apparel gave the impression of clothes perfectly new; the hair was uncommonly well dressed and powdered. Thereby hangs a tale, which I cannot have a better opportunity of reporting; I had it from the best authority—that of my own servant, who had it from the *souterrein* of the establishment, which he had confidentially explored. A hair-dresser for all the livery servants constitutes one of the efficient characters in this dramatic arrangement. At a certain hour every male servant appears before the duke, to show himself perfectly well dressed, and clean. Besides this ‘law of the Medes,’ every man has a niche to fill, so that he is never unoccupied, except at his meals, in some duty or another, and is amenable to a sudden visit into the bargain. I can assure you the result is, that, in this complicated machine of souls and bodies, the genius of attention, of cleanliness, and of smart appearance, is the order of the day.

“ When the duke took me the next morning to his master of the horse; instead of dirty coachmen or grooms, they were all as neat as if they never had any thing to do, or as if they were going to church in state.

“ The male servants meet in their hall, at an unvaried hour; and round this apartment, as in a convent, are little recesses or cells, with not only beds in them for each, but every accommoda-

tion as well as implement for their apparel. Yet all this absolute monarchy of system is consistent with a most obliging manner to the servants on his part, which I attested more than once; and with attachment as well as homage to him, attested by the hermit’s inquisitor and spy, who gave me this note of his comments; I mean, of course, my own servant.

“ The next morning I could not believe my own sight. It was like a vision before me in the very moon itself. I rose at 7. The lawn before me, surrounded by an amphitheatre or plantation, was covered by leaves, for they will fall even in a garden of state. The head-gardener made his appearance, and with him five or six men, who were under his wing. In much less than a quarter of an hour every dead leaf disappeared; and the turf became a carpet, after mowing, and after a succession of rollers, iron, and stone.

“ After this episode we are to go back, and are to be at the table again. A very little after dinner Madame vanished. I flew to the door, and was in time for it, with a minuet step, not unpractised, or unrehearsed in the Milbourne woods, to the Fauns and the Satyrs there; but whether such an assiduity was etiquette or vulgar, is too deep to be fathomed by so humble a conjecture as mine. In a very little time the summons came for coffee; and as before, he led the way, conducting me to another of the upper apartments in the range before described, and which, as it happened, was close to the bed-chamber. They were open to each other. But such a room

was that bed-chamber, as no loves and graces ever thought of showing to a hermit of all the birds in the air. It was perfectly regal, but without prejudice to a very Circassian air.

“In the morning the duke showed me all his variety of horses and of carriages. He pointed out a curricule to me. ‘I bought that curricule,’ said he, ‘20 years ago; have travelled in it all over the world; and it is firm on its axle. I never was spilt from it but once. It was in Canada, near the Falls of Niagara, over a concealed stump, in a wood just cleared.’

“He afterwards opened himself very much to me in detail, with disclosures in confidence, and political ones too, which interested as well as enlightened me very much, but which, as a man of honour, I cannot reveal, even to you. He is no gamester; he is no huntsman; he never goes to Newmarket; but he loves riding upon the road, a full swing trot of 9 miles an hour.

“I am going to part with him in my narrative; but not before I have commanded you to love him for his anecdotes of his good fortune, and for his feeling attention to me. In the morning he asked me how I was mounted; and before I could answer him, he whispered (in a kind of parenthesis more chapt and spilt than pressed) that he had for two months been putting a little circuit horse in train for my use of him in spring. It was a pet, said he, of the dear king, who gave it to me; and you must ride it with more pleasure for both our sakes. These were not ‘goodly words,’ like those of Naphtali, or ‘the kind let-loose;’ for my servant

received the intelligence that such a keep-sake was intended for me. How charming is the delicacy of conduct like this! I had once complained, three or four months ago, that my own circuit Bucephalus had kissed the earth with his knees. He condoled with me, half in jest, but gave me no hint of such a Fairy’s boon in store for me.

“But now for the last of these wonders! It was the incalculable surprise of his heart in the morning. I can give you not the faintest image of its effect upon me. It made me absolutely wild. The room in which our breakfast apparatus received us had at the end of it a very much ornamented glass door, with a mist over it, so that nothing was to be seen through it. He poured me out a dish of tea, and placed it before me; then rose from the table, and opened that glass door. Somebody (but whom I could not see) was on the other side, for he addressed words to the unseen—words in German. When he returned, and I had just lifted the cup to my lips—imagine my feelings, when a band of thirty wind-instruments played a march, with a delicacy of tone, as well as precision, for which I have no words equal to the charm of its effect. They were all behind this glass door, and were like one instrument. The uplifted cup was replaced on the table—I was all ears, and was entranced: when all of a sudden they performed the Dirge upon our naval hero. It threw me into a burst of tears. With a heart for which I must ever love him, he took me by the hand, and said, ‘Those are tears which do none of us any harm.’ He then made them play all imaginary varieties

for a complete hour. He walked do come to us again; come soon;
me round his place, and parted and come very often!
with me in these words: 'You "May I not—must I not love
see that we are not formidable; this man? GEO. HARDINGE."

FUNERAL OF HIS ROYAL HIGHNESS THE DUKE OF KENT.

The body of his Royal Highness lay in state for a short time at Woolbrook Cottage.

At the head of the coffin was raised a superb plume of feathers, and three smaller plumes were placed on each side.

On Monday the 7th of February, the procession towards Windsor commenced, attended by an immense concourse of spectators.

ORDER OF PROCESSION.

Salcombe Troop of Yeomanry Cavalry, commanded by Captain Cornish.

Band of the 4th Light Dragoons.

The instruments hung with crape, &c.

Drums muffled playing the Dead March in Saul.

Twenty Tradesmen of his late Royal Highness on horseback, with silk hatbands and scarfs, two and two.

Two Mutes on horseback.

The Plume of Feathers borne on a man's head.

Two Mutes on horseback.

A Mourning Coach and six Horses, conveying the Urn, attended by Captain Parke, and James Thomas, Esq. of the Lord Chamberlain's Department, escorted by a party of the 4th Light Dragoons.

The Hearse, conveying the ROYAL REMAINS, adorned with Escutcheons, drawn by eight Horses, richly habited with Escutcheons and Plumes of Feathers, and escorted by a party of the 4th Light Dragoons.

Mourning Coach, conveying General Wetherell, and the Rev.

Dr. Wetherell, drawn by six horses.

Party of the 4th Light Dragoons.

Mourning Coach, conveying Mr. Mahieu, his Royal Highness's Valet: and Mr. Beck, House Steward, drawn by six horses, and escorted by a party of the 4th Light Dragoons.

His late Royal Highness's Travelling Chariot and four horses, blinds up—two Footmen behind.

Large Party of Dragoons.

Carriage, containing the Rev. William Jenkins, jun.

Carriages containing Mr. Macquire and Mr. Luscombe, Surgeons; and Mr. Hodge, Apothecary.

Carriage, containing Mr. Wallis, his Royal Highness's Librarian, at Sidmouth.

Near thirty carriages of the nobility and gentry of the neighbourhood attended the procession about three miles out of town.

Among the carriages of the nobility and gentry were the right hon. lord Rolle, the right hon. lord Graves, sir J. Kennaway, bart. sir Joseph Scott, bart. sir Edward Stracey, bart. Edward Lee, esq. Henry Stewart, esq. Thomas Dashwood, esq. Mr. Phillips, D. O'Brien, esq. &c. &c.

Upon the arrival of the procession at Bridport, the remains of his Royal Highness were placed in the church there, under a military guard, during the night of Monday.

On the following morning, at ten, the procession moved in the same order, halting on Tuesday, the 8th, at Blandford; on Wednesday, the 9th, at Salisbury; and on Thursday, the 10th, at Basingstoke; the same arrangement being observed, for placing the remains of his late Royal Highness, each night, as at Bridport.

In every town through which the cavalcade passed, the utmost respect was evinced by the inhabitants; the shops were close—the church-bells tolled, and every other suitable attention was paid which the solemn occasion required.

On Friday the procession moved on in the same order to Cumberland-lodge. On the arrival of

the procession at the lodge, the coffin was received at the principal entrance by Mr. Marsh, attended by colonel Stevenson. Previous to the approach of the procession, a detachment of the Royal Horse Guards had reached the lodge in readiness to receive it. They were drawn up in front of the edifice, and after delivery of the corpse, they prepared to escort the carriage, in which the urn was placed, to St. George's Chapel. For this purpose, each third man was provided with a flambeau, and soon after seven the carriage, attended by the escort, advanced to Windsor. The night was dark, and the weather unfavourable, consequently few persons witnessed this part of the ceremony. At eight the cavalcade arrived, and immediately advanced to the south door. The urn was then conveyed to the platform leading to the vault, and in the presence of the Dean, the Rev. Mr. Digby, of Mr. Marsh, colonel Stevenson, and the officers of the chapel, was lowered to the cemetery, where it was deposited in the niche in which the coffin was afterwards placed. The escort then departed to their quarters.

On Saturday, at twelve o'clock, and from then till the ultimate removal in the evening, the body of his Royal Highness lay in state. Every thing being in readiness, the procession proceeded in the following order:—

A detachment of Cavalry.

Trumpets and Drums of the Royal Household.

Kettle Drum, Mr. Richard Ashley.

Deputy Serjeant Trumpeter, John Nost, Esq.

The Knight Marshal's Men.

Servants and Grooms of the Royal Family, in full state liveries, with crape hatbands and black gloves, four and four, each bearing a flambeau.

Servants and Grooms of his late Royal Highness on foot, in deep mourning, each bearing a flambeau.

THE HEARSE,

Drawn by six horses, adorned with escutcheons of his late Royal Highness's arms.

Mourning coach drawn by six horses, in which were General Wetherall, and the domestic Chaplain of his Royal Highness.

A mourning coach and six, in which were two of his Royal Highness's servants.

His present Majesty's coach and six ;

The coachman and postillions, and the four footmen behind, in their state liveries—blinds up.

His Royal Highness the Duke of York's carriage, and six horses, with three footmen behind.

His Royal Highness the Duke of Sussex's carriage and six horses. Three footmen.

His Royal Highness the Duke of Gloucester's carriage and six horses. Three footmen.

His Royal Highness the Prince of Saxe Coburg's carriage and six horses. Also with three footmen.

The rear was brought up by a detachment of Lancers, and the whole was flanked by the Royal Horse Guards, every fourth man bearing a flambeau.

The procession moved, at a quarter before eight o'clock, from Cumberland Lodge.

At eight o'clock, his Royal Highness the duke of York, and

the dukes of Sussex, Clarence, and Gloucester, together with his royal highness prince Leopold, proceeded to the house of the dean.

At the entrance the dean and canons, attended by the choir, received the body : and the procession advanced in the following order :—

Poor Knights of Windsor.

Pages of the Royal Family.

Pages of his late Royal Highness.

Apothecaries of his late

Royal Highness.

Mr. Thompson,

Mr. Tegart,

Physicians to his late Royal Highness.

Dr. Maton,

Dr. Davis,

Surgeons.

Sir Wm. Adam.

Mr. Pettigrew.

Dr. Wilson,

Dr. Dundas.

Chaplain to his late Royal Highness,

The Rev. Dr. Wetherall.

Secretary to his late Royal Highness—Captain Conroy.

Equerries to his late Royal Highness :—Major general sir Thomas Saumarez, colonel Drinkwater, The hon. G. A. C. Stapleton, Major-general the hon. Sir G. Anson, Major-general Hardyman, Major-general J. Moore, Lieutenant-general Sir H. Carr, Captain Parker.

Grooms of his late Royal Highness's Bedchamber.

Pursuivants :

William Woods, esq. Bluemantle.

George Frederick Beltz, esq. Portcullis.

Charles George Young, esq. Rouge Dragon.

Heralds :

Francis Martin, esq. Windsor.

Joseph Hawker, esq. Richmond.

Edmund Lodge, esq. Lancaster.

James Cathrow, esq. Somerset.

Sir George Nayler, knt. York.

George Martin Leake, esq. Chester.

Comptroller of his late Royal Highness's Household—General Wetherall.

A Gentleman Usher.	{	The Deputy lord Chamberlain of his Majesty's Household—Visct. Jocelyn.	}	A Gentleman Usher.
A Gentleman Usher.		The Coronet of his late R. H. upon a black velvet cushion, borne by Norroy, King of Arms, Ralph Bigland, esq.		A Gentleman Usher.

Supporters of the Pall, two Field Marshals, or Full Generals, in their uniforms, with black crape scarfs.

Supporters of the Canopy, three Generals in their uniforms, with black crape scarfs.

THE
Royal Body,
covered with a Black Velvet Pall, adorned with Eight Escutcheons of his late Royal Highness's Arms, under a Canopy of Black Velvet.

Supporters of the canopy, three Generals, in their uniforms, with black crape scarfs.

Supporters of the Pall, two Field Marshals, or Full Generals, in their uniforms, with black crape scarfs.

The coffin was one of the largest which has been made for any of the royal family. It was 7 feet 5 inches and a half in length; 2 feet 10 inches in breadth; 2 feet 1 inch in depth; and weighing altogether upwards of a ton.

A Gentleman Usher.	{	Garver King of Arms, Sir Isaac Heard, Knight.	}	A Gentleman Usher.

Supporter, The Duke of Dorset.	{	The Chief Mourner, The DUKE of YORK, In a long Black Cloak, His Train borne by Col. Berkeley, the Hon. Col. Stanhope. Lord Alvanley, and Culling Smith, Esq.	}	Supporter, The Duke of Wellington.
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Supporter.	{	The DUKE OF CLARENCE, In a long Black Cloak, His Train borne by Sir John Borlase Warren and Sir Charles Pole.	}	Supporter.
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THE DUKE OF SUSSEX,

In a long Black Cloak, his Train borne by Major General S. G. Walker, Captain Cood, and H. F. Stevenson, Esq.

THE DUKE OF GLOCESTER,

In a long Black Cloak, his Train borne by Edward Currey, Esq. Lieut.-Colonel Higgins, and Colonel Dalton.

HIS ROYAL HIGHNESS PRINCE LEOPOLD,

In a Black Cloak, his Train borne by Baron Hardenbrooke, Col. Addenbrooke, and Lieut. Col. Sir R. Gardiner.

Two Gentlemen Ushers.

Yeomen of the Guard closed the Procession.

The body was conveyed into the choir, by the same machinery as that adopted at the funeral of her late Majesty. The dean then read the service from under the Sovereign's Stall. At the proper moment, the platform placed over the entrance of the royal vault, gradually descended without any perceptible aid; the chief mourner sate on a chair at the head of the corpse, his supporters on either side; the supporters of the pall sate in their places near the body, and the bearers of the canopy on either side.

From the great size of the coffin, there was some difficulty in lowering it into the vault, the opening being scarcely large enough for its admission.

At the conclusion of the office of Burial, the venerable sir Isaac Heard proclaimed the style of his

late royal highness, in a most distinct and impressive manner.

The royal brothers of the deceased prince seemed deeply affected.

His royal highness's Will was proved in form at Doctors' Commons, on the 21st of March. The property was sworn under 80,000*l.* and 1,050*l.* were paid for the probate.—The Will, which is very brief, appoints lieutenant-general Wetheral, and captain Conway executors; and after expressing a hope that government would liquidate all his royal highness's just debts, bequeaths all the royal testators property of all descriptions in trust, for the use of his illustrious widow, and the infant princess Alexandrina, who is by the same instrument assigned to her mother's sole guardianship. It bears date Jan. 22, 1820.

OBSEQUIES OF HIS MAJESTY
KING GEORGE THE THIRD.

On the morning of the 15th, soon after ten o'clock, the preparations were completed for the mournful ceremonial of his Majesty's honoured remains lying in state, and the gates of the Castle were immediately thrown open for the admission of the public. The exterior arrangements were all made under the especial direction of colonel Stevenson. — The public were, in the first place, admitted by the grand entrance to the Upper Ward, or square of the Black Horse. This entrance was parted by a strong railing, diverging within the Ward to the right and left, so that the stream of company, which incessantly poured in, was by this means directed at once to the north-eastern tower of the quadrangle, commonly called Egerton's Tower. At the door, four Marshalmen were stationed, wearing, in addition to their state uniforms, ample scarfs of black silk, with crape hat-bands, sword-knots, &c. Ascending the winding stair of the tower, the visitor, after passing through an ante-chamber, filled with Marshalmen and Yeomen of the Guard, entered at once into St. George's-hall, where his late Majesty used to hold the Chapter of the Knights of the Garter. The Throne and its canopy were covered with black cloth, and at the foot of the steps was a slight railing also, covered with black. Across the Hall, diagonally to the door of the Guard Chamber, matting was laid down, with a black cord on each side, to confine the company to the space it occupied; and, without this cord, were stationed

privates of the Life-Guards, with their arms reversed. This apartment had a very impressive effect.

The next approach was to the King's Guard-chamber, in Blenheim Tower. The lofty walls of this apartment are entirely covered with the armour of past ages. The visitors were in this chamber also, separated from the great body of the apartment by a cord, covered with black; and, in the open space, Yeomen of the Guard were assembled, in groupes, who, not being immediately upon duty, waited here to relieve their comrades. Their costume was the same, in form, as their ordinary one; but it was entirely of black cloth, with crape round the cap, and the Arms of England embroidered in gold, silver, and colours. Their partizans had also a covering of black crape. From this, the spectator passed through an ante-chamber; the floor, ceiling, and walls, entirely covered with sable drapery, and lighted at intervals by silver sconces, each bearing two small wax-lights; just sufficient to show a long line of Yeomen of the Guard, leaning on their crape-clothed partizans, as motionless as statues. He then entered the Presence Chamber, in which reposed the remains of our beloved Monarch. The whole of this noble apartment was entirely clothed with fine purple cloth, and illuminated by a profusion of silver sconces. On a raised platform, at the opposite extremity, appeared the coffin, supported upon tressels, and covered with a pall of rich purple velvet, lined with white satin, and ornamented at each side with three escutcheons, and on the top were deposited the Kingly Crown of

England and the Electoral one of Hanover, on two purple velvet cushions, superbly fringed and tasselled with gold. On each side of the coffin were three stupendous wax-lights, in massive silver candlesticks, and over it a radiated canopy of fine purple cloth; the cornice was also adorned with escutcheons. At the head of the coffin were seated the earl of Delaware and lord Graves, the Lords in Waiting; and colonel Whatley, colonel King, sir Geo. Campbell, and sir Cavendish Bradshaw, the Grooms in Waiting. At the feet stood two Pursuivants, *Rouge Croix* and *Portcullis*, in their official costume, but uncovered; and about the apartment were a number of the Band of Gentlemen Pensioners, in their state dresses, with crape scarfs, &c. Thence the company passed through the King's drawing-room and its antechambers, and descended by the staircase in the western Tower, where King John resided during the time of his contest with his Barons; and thence out through the quadrangle, by the grand southern entrance.

Windsor never was fuller, except at the funeral of the lamented Princess Charlotte.

The duke of York passed up the grand staircase, and through the King's Drawing-room. He appeared agitated and distressed, and having stood for a moment at the door of the Presence Chamber, in contemplation of the coffin, he retired by the way he had come, leaning on the arm of colonel Stephenson. The grand entrance to the upper court was then immediately thrown open to the public, who rushed forward in a body across the quadrangle to the entrance of Egerton's

Tower; and many persons were thrown down and trampled upon. Several were carried back again in a senseless state. The people were continually pressing up to the gates by every possible approach in a compact black column. Before twelve the principal streets became completely choked up; no sort of accommodation being to be had, for there was not a single yard, stall, shed, chamber, or coffee-room, but what was already crowded to an overflow.—Towards the latter part of the day, the Cabinet Ministers, the great Officers of State, the Bishops, and the Judges, arrived in quick succession. The duke of Wellington, accompanied by Mr. Wellesley Pole and Mr. Arbuthnot, drove up to the Castle-inn about four o'clock.—At four o'clock, the ceremony of the royal remains lying in state was at an end, and the gates were closed.

During this bustle, and indeed throughout the whole of the preceding night, the workmen were busily employed in St. George's chapel. During the night the superb Communion-services of plate from the chapels royal arrived in caravans, and were arranged upon the altar, the steps of which were covered with fine purple cloth. A raised platform covered with black cloth was erected down the south aisle, and up the nave to the choir, with a railing on each side to prevent interruption to the procession from the spectators. In the north aisle seats were erected tier above tier, for the accommodation of those persons who might be able to procure tickets from the Lord High Steward; and the

organ-loft, which is not capable of affording accommodation to more than ninety persons, was fitted up for the nobility. These were the only places set apart for mere spectators, and of course could not contain one-twentieth part of those who were most anxious to be present. There were absolutely instances of fifty guineas being offered for a single ticket of admission to the north aisle. Before the altar, and immediately over the opening of the subterraneous passages leading to the mausoleum of the Royal Family, a superb canopy of royal blue velvet, was placed supported by four slight pillars wreathed with velvet and gold. The canopy was in shape a parallelogram, with the roof of the sweeping Chinese contour, and surrounded with a gothic fret work cornice in dead gold. From this cornice depended a festooned drapery of the royal blue velvet, richly fringed and tasseled of the same colour, and each festoon was farther adorned with a royal escutcheon. To the right and left of the altar diagonally, seats were placed in tiers for the Foreign Ambassadors, and the whole floor of the choir was covered with black cloth. During the day, the earl of Winchelsea, Comptroller of his late Majesty's Household, and many other distinguished personages, inspected the progress of the workmen, and expressed themselves highly gratified by the arrangements which had been made.

As the evening advanced, the Eton scholars assembled under their respective masters to the number of more than 500, and clothed in deep mourning, walked

two and two to the gate of the hundred steps, where, by the previous order of his Majesty, they were admitted through the cloisters to the interior of the royal chapel, and took up their station in the north aisle.

After the conclusion of the public ceremony of lying in state, and the visitors were all excluded from the Castle, the Lords in Waiting, and the other state attendants, still remained with the royal corpse till seven o'clock, when his royal highness the duke of York, as chief mourner, took his seat at the head of the coffin, under the canopy, in lieu of the Lords in Waiting, and he continued sitting there during the lapse of two hours. In the interim, the persons who were to take part in the procession, were assembled in St. George's Hall, and there marshalled by sir Geo. Nayler, the Windsor Herald. At nine o'clock the duke of York left the Presence Chamber, and the Yeomen of the Guard, under the superintendence of the *Exon*, captain Cipriani, removed the coffin of their royal master down the grand staircase to the vestibule, where it was placed upon the car, and, in a few minutes afterwards, the procession set forward in the following order along the raised and covered platform, which we have already described as having been erected from the grand entrance of the state apartments, across the lower court of the Castle to the great porch of the Royal Chapel—the lower court having been previously filled with respectable persons, admitted by tickets from the office of the Groom of the Stole:—

Knight Marshal's Men, two and two, with black Staves.
Trumpets and Kettle Drums and Drums and Fifes of the Foot Guards.

Poor Knights of Windsor.

Pages of His Late Majesty.

Bed-chamber—Charles Downes (State Page), John Wood, Samuel Bowtell, Robert Jenkins, Joseph Narden, Jenkin Stradling, esqrs.

Back-stairs—C. J. Santhagen, C. T. du Pasquier, George Troop, B. Lucas, W. R. Holmes, G. Wedgebarrier, esqrs.

Apothecaries to his Majesty,

Mr. R. Walker,
Mr. G. T. Luckley.

Surgeons to his Majesty,

J. Phillips, Sam. Howard, T. Thompson, F. Chevalier, T. Luxmore, S. Hammick, T. Newell, J. P. Tupper, W. Wadd, G. P. Albert, esqrs.

Apothecaries to his late Majesty,

Everard Brand, Robert Battiscomb.

Surgeons to his late Majesty,

Sir David Dundas, sir E. Home, P. M'Gregor, J. Heaviside, J. Gunning, J. Wardrop.

The Curate and Rector of Windsor.

Gentlemen Ushers Quarterly Waiters to his Majesty.

Pages of Honour to his Majesty,

Joseph Ince, T. M'Kenger, C. Kramer, J. Dodell, C. Maxwell.

Grooms of the Privy Chamber to his Majesty.

Sergeant Surgeons to his Majesty.

Physicians to his Majesty,

Sir Gilbert Blane, Sir Henry Halford, Sir William Knighton, Sir M. J. Tierney.

Physicians to his late Majesty,

Sir Lucas Pepys, Sir Francis Milman, William Heberden, Sir Henry Halford.

Household Chaplain to his late Majesty,

Rev. J. Stanier Clarke, LL.D.

Clerk of the Closet to his Majesty,

Rev. G. F. Blomberg.

Equerries to the Royal Family.

Equerries to his Majesty.

Clerk Marshal and First Equerry.

Gentlemen Ushers of the Privy Chamber to his Majesty.

Grooms of the Bed-chamber to his Majesty.

Master of the Robes to his Majesty,

George Troup.

Solicitor-General,
Sir J. Copley.

Attorney-General,
Sir R. Gifford.

Barons of the Exchequer and Justices of both Benches,

The Lord Chief Baron,
Sir Wm. Garrow.

The Lord Chief Justice of the Common Pleas,

Right Hon. Sir R. Dallas.

The Vice-Chancellor,
Rt. Hon. Sir John Leach.

The Master of the Rolls,
Sir T. Plumer.

The Lord Chief-Justice of the King's Bench,
Right Hon. Sir Charles Abbott.

Comptroller of the King's
Household.

Treasurer of the King's
Household,
General Samuel Hulse.

Privy Councillors (not Peers.)

Pursuivant.

Eldest Sons of Barons.

Eldest Sons of Viscounts.

Pursuivant.

Barons.

Pursuivant.

Bishops.

Herald.

Eldest Sons of Earls.

Viscounts.

Herald.

Deputy Earl Marshal,
Lord Henry Molyneux Howard.

Eldest Sons of Marquisses.

Herald.

Earls.

Eldest Sons of Dukes.

Herald.

Marquisses.

Herald.

Dukes.

Herald.

The Lord Privy Seal.

Earl of Westmorland.

The Lord President of the Council.

The Archbishop of York.

The Lord Chancellor.

The Archbishop of Canterbury.

Norroy King of Arms.

Lords of his Majesty's Bed-chamber,
Lord Boston, Lord Charles Spencer, Marquis of Headfort, Viscount
Melbourne, Lord James Murray, Viscount Petersham, Viscount
Lake, Earl De Lawarr, Lord Graves, Lord Amherst, Earl of
Fife.

Grooms of the Stole
to his Majesty.

Master of the Horse
to his Majesty,
Duke of Montrose.

Supporter :	{	THE ROYAL CROWN	}	Supporter :
A Gentleman		OF HANOVER,		A Gentleman
Usher.		borne on a purple velvet cushion, by Blanc Coursier King of Arms.		Usher.

Supporter : 3rd Gent. Usher Daily Waiter to his Majesty.	{ THE IMPERIAL CROWN of the United Kingdom, borne on a purple velvet cushion, by Clarencieux King of Arms. } { The Lord Steward of his Majesty's Household, Marquis of Cholmondeley. } { The Lord Chamberlain of his Majesty's Household, Marquis of Hertford. }	Supporter : 2nd Gent. Usher Daily Waiter to his Majesty.
The Secretary of the Lord Steward.		The Master of his Majesty's House- hold.
A Gent. Usher.		A Gent. Usher.

Five Gentlemen Pensioners with battle-
axes reversed.

Supporters of the Canopy, Five Peers.

Supporters of the Pall, Three Dukes.

THE
Royal Body,
covered with a fine
Holland Sheet and a
Purple Velvet Pall,
adorned with Ten
Escutcheons of the
Imperial Arms,
carried by
Ten Yeomen
of the Guard,
under a
Canopy
of
Purple
Velvet.

Supporters of the Pall, Three Dukes.

Supporters of the Canopy, Five Peers.

Five Gentlemen Pensioners with battle-
axes reversed.

First Gentleman
Usher Daily Waiter
to his Majesty.
Supporter,
The Duke of
Dorset.

Garter Principal King of
Arms.

The Chief Mourner,
The DUKE of YORK,
In a long Black Cloak,

Gentleman
Usher of the
Black Rod.
Supporter,
the Duke of
Wellington.

Train borne by Col. Berkeley, the Hon. Col. Stanhope,
Lord Alvanley, and Culling Smith, esq.

DUKE OF CLARENCE,

In a long Black Cloak, his Train borne by
Sir John B. Warren and

Supporter.

Sir Charles Pole.

Supporter.

THE DUKE OF SUSSEX,

In a long Black cloak, his Train borne by Major-General Sir George
Walker, Captain Cood, and H. F. Stevenson, esq.

DUKE OF GLOCESTER.

In a long Black Cloak, his Train borne by Edward Currey, esq.
Lieut.-Col. Higgins, and Colonel Dalton.

HIS ROYAL HIGHNESS PRINCE LEOPOLD,

In a long Black Cloak, his Train borne by Baron Hardenbroke,
Col. Addenbrooke, Lieut.-Colonel Sir R. Gardiner.

The Council of his Royal Highness the Duke of York, as Custos Personæ of his late Majesty.

Archbishop of Canterbury, Lord Chancellor, Archbishop of York, Duke of Montrose, Lord Arden, Marquis of Camden, Sir W. Grant, Bishop of London, Lord St. Helens, Lord Henley, Earl of Macclesfield, Earl of Winchelsea.

Master of the Household to his late Majesty on the Windsor Establishment.	Groom of the Stole to his late Majesty on the Windsor Establishment.	Vice Chamberlain to his late Majesty on the Windsor Establishment.
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Lieut.-col. Stephenson.

Lords of his late Majesty's Bed-chamber.

Grooms of his late Majesty's Bed-chamber.

Hon. Edward Finch, Colonel H. F. Thomas, General Edward Stevens, Hon. Colonel Stanhope, Gen. Sir W. Keppel, H. A. C. Bradshaw, Lieut.-Gen. Sir W. Lumley, Lieut.-Gen. Sir T. H. Turner, Lieut.-Gen. Sir E. Paget, Lieut.-Col. Henry King, Sir George Campbell, Col. J. Wharley, Admiral Sir Edmund Nagle.

His late Majesty's Trustees.

Equerries to his late Majesty.

Sir W. Congreve, Major-Gen. Bayley, Major-Gen. Sir R. H. Vivian, Lieut.-Col. Hugh Seymour, General Sir Robert Bolton.

The procession from the grand porch to the south door of St. George's chapel afforded to thousands of spectators a scene of funereal grandeur, at once the most solemn and picturesque. The long train of distinguished personages, habited in their mournful costumes, relieved only by the occasional parti-coloured magnificence of heralds, was rendered quite visible to the beholders by the lights of the torches borne by the soldiery, who lined on each side the temporary way. The evening was dark, but the torch-lights produced the finest imaginable effect.

Before 7 o'clock, all the persons who had procured tickets were admitted into the north aisle of the chapel, and were accommodated with places on a temporary platform, which allowed an excellent view of the whole range of the cathedral except the chapel. The Eton boys were

stationed at the back of the soldiers, and saw every thing without incommoding or displacing any other spectators. When all had been accommodated, it was matter of regret to see that there was still room enough for at least 500 spectators, and that owing to some miscalculation, so large a portion of the public, who might reasonably have been gratified, were excluded from the most interesting part of the ceremony. We may here notice that the duke of San Carlos, the Spanish ambassador, having presented himself as a common individual, was admitted in the crowd, and was very contentedly taking his place among them, when a gentleman who knew him, informed him that a place was set apart for ambassadors in the chapel, and with some difficulty prevailed upon his grace to avail himself of this privilege.

At half-past 7 a detachment of

the First or Grenadier Guards were marched into the middle of the aisle, and took their stand on each side of the railed way, through which the general procession was to pass. At 8 o'clock their arms and standards were reversed, and every second man was supplied with a large wax taper lighted. A whole hour now elapsed, which was not marked by any incident except the sound of the solemn firing of the minute-guns. At 9 o'clock, a mournful flourish of trumpets, but faintly heard in the aisle, announced that the procession had begun to move, and every eye was immediately fixed in anxious expectation towards the spot by which it was to enter. In a few minutes the van entered the aisle, consisting of the poor knights, followed by the pages; and then, by slow degrees, the whole body moved forward in the order described in the ceremonial. Among the distinguished persons of Opposition who had come to pay their homage to the memory of their venerable sovereign, were the duke of Bedford, earl Grey, and the earl of Lauderdale. As the procession slowly moved along, we observed the several dukes who had been appointed to bear the pall; namely, the dukes of Wellington, Buccleuch, Newcastle, Dorset, Northumberland, and Athol. The canopy over the coffin was borne by marquisses, among whom we perceived the marquisses of Stafford, Buckingham, and Cholmondeley. Almost immediately before the coffin, a most imposing effect was produced by the array of national banners, carried by different noblemen. The Union banner was carried by lord Grenville, St.

George's banner by lord Howard of Effingham, the grand Royal banner by lord Hill, the banner of Scotland by lord Clinton, the banner of Ireland by lord Headfort, and the banners of Hanover and Brunswick by two other noblemen. As soon as the coffin appeared round the corner of the aisle, the singers of the different choirs, who were followed by the dean of Windsor, struck up the solemn service of "I know that my Redeemer liveth." This beautiful anthem lasted till the corpse was carried into the chapel, and placed on the tressels. Immediately after the coffin followed the duke of York as chief mourner: his royal highness had the appearance of deep and unaffected sorrow. Next him went the duke of Clarence, the duke of Sussex, the duke of Gloucester, and prince Leopold. As soon as the procession was completely arranged in the chapel, the dean of Windsor, assisted on this occasion by the archbishop of Canterbury, commenced the service. At the conclusion of the service, and previous to the last collect and blessing, the funeral anthem, composed by Handel for Queen Caroline, was sung by the full band. One portion, in which the voices of boys alone were employed, was a masterpiece of harmony.

When this anthem was finished, the dean read the prayer which accompanies the lowering of the body into the grave; and it is impossible to describe the awe of every bosom as the throwing of the dust rescinded from the royal coffin: this awe was still further heightened to those in the chapel, from whose eyes the coffin had slowly and gradually

disappeared, without hands, and as if it had been mysteriously withdrawn by some supernatural power. Sir Isaac Heard then read the titles of his late majesty, but in a voice less firm than usual. This tremulousness was, however, the effect of grief rather than of age. The service being concluded, Mr. Knyvett played a solemn voluntary, and the procession returned nearly in the order in which it came.

Thousands were afterwards admitted into the chapel, to see the coffin and its splendid paraphernalia, as it lay in the tomb. Thus ended the most awful and magnificent ceremony which any British subject now living ever witnessed in this country.

George the Third, in his general esteem for the arts, professed great partiality for good paintings, and felt much gratification at being the founder of the Royal Academy. He was delighted with the magnificence of their apartments at Somerset-house, and did not envy their superior elegance to those of his own usual residences. He heard with great anxiety of any circumstances which disturbed the peace of the academy; particularly in the instance of that real genius but eccentric man, Barry (who painted the great room of the Adelphi Society), when he incurred the displeasure of the academicians by his free censure, in a lecture, of the main design of the buildings of Somerset-house. This affair vexed the king, who had expressed his approbation of the great merits of Barry, but he entertained a high opinion of sir William Chambers, who was his

first architect; yet most critics who have considered the site of Somerset-place will incline towards Barry's ideas. The king used to devote several hours to his annual view of the exhibition, and though he asked the opinions of the attendant artists, yet, in his accustomed rapid manner, was generally pretty free in his own remarks. He always manifested his patriotic feeling at the proofs of rising native talents, exclaiming, "Clever artist!" "Promising young man, this!" &c. Sir Joshua Reynolds was a great favourite with him, and in this he was succeeded by Mr. West, whom he employed oftener. With this eminent artist he allowed his kingly dignity to lose itself in long and familiar chit-chat; but, as in all such cases, he could resume it at once if occasion seemed to require it. He had a strong fancy for portraits. Though he bought a good many pictures, he was ever far enough from expending improvident sums for them. The celebrated Houghton collection, which some expected would find its place in his palaces, was suffered to be shipped off to St. Petersburg, for the Empress Catherine. He had some pictures by Northcote, Zoffani, Gainsborough, and Romney. There is a whole length of the king in one of the state rooms, habited in his parliament robe, which he thought a good likeness, and generally asked his visitors to look at it. His majesty's taste forsook him at one time, when he removed the divine cartoons of Raphael from the long gallery, constructed for their reception, at Hampton Court, by king William, to Buckingham House. There were no

painted copies of them, but sir James Thornhill's at Bedford-house, and which are now in the University gallery, at Oxford. They travelled afterwards to Windsor, but the king at last restored them to their original places. In these removals they sustained no serious injury. Altogether there is a fine royal collection at Windsor, Buckingham-house, and Hampton Court; some good portraits at Kensington; there are only the head of an old Venetian Doge, and some other trifles, in the council chamber at St. James's. The king patronized the valuable improvements of Jervis, &c. in the beautiful art of painting glass windows. His majesty liked to look at monuments and read epitaphs, but his taste for sculpture did not appear very particular. Perhaps the king, to speak familiarly, was seldom more at home than in conversing on matters which mixed the mechanical with the scientific. Hence charts and maps, or the constructions and goodness of a time-piece, a telescope, and other optical or mathematical instruments, or of pieces of clever machinery, down even to those of mere convenience, interested him greatly. He was occasionally philosophical. Inventions and discoveries were sure to attract his notice. In relieving his mind from matters of importance or mere routine, by light mechanical occupations, he had the authority and recommendation of Locke. Old folks remember well what talk there was once about the king's having turned in a lathe a set of ivory buttons.

His chief amusement in-doors, it is known, was music, and that

certainly of the highest character for grandeur and sublimity of composition, by which he not only gratified a well-tuned ear, but exalted his devotional feelings; but he had very little relish for the meretricious bravuras of the Italian stage, and less for the fantastic and bewitching movements of its ballets. Had the voluptuous waltz been introduced at his court, the royal frown would assuredly have forbidden its repetition; its German origin could not have saved it. For many years the Opera had not been honoured by the regal presence. Neither the music, nor the show, nor the circled splendors of his nobility, and still less the lateness of the hours, had attraction sufficient to claim his evenings, or interfere with the regularity of his habits. But he loved with all his heart to go and see and enjoy an English play as often as he could make it convenient. Here he was quite at home: an English king, in the midst of his subjects of all ranks and classes, partaking of the common amusement, and sharing in the universal pleasure. But here, while he relaxed his state to exhilarate his spirits, he could not command exemption from the sneers or the sarcasms of some would-be Roman patriot, or some witty disappointed political critic. The king of Great Britain, it was more than insinuated, ordered too frequently the representation of light and frivolous productions, and appeared to enjoy the tricks and fooleries of a pantomime with the glee of a holiday play-goer. Whimsical transformations, and such deceptions as Follet, the clown, swallowing a carrot four

or five yards long, shook the sides of majesty itself with hearty laughter.* But every body above the lower classes knew that the king could delight in the serious drama, that he was a reader and an admirer of Shakspeare, and that he sent several times for Mrs. Siddons to the Queen's house, to recite tragic passages before the royal family. The truth is, that he went purposely to indulge in that broad open cheerfulness and mirth, English all over, which he could not find in the private chambers or the tapestried saloons of a palace. He went to refresh his spirits, and to excite his merriment. In the same way, he amused himself at the *fêtes champetres* at Frogmore, with Dutch fairs, and a little company of actors—well enough remembered by Munden and Bannister, and where he particularly noticed Elliston. One advantage resulted from his play-going—he became personally as well known to all his metropolitan subjects as their next-door neighbours.

Though the regular course of the king's domestic living was so plain and unostentatious, he was

* This reminds one of George the Second, who preferred farces, pantomimes, and funny comedies; but then he did not understand English enough to enjoy Shakspeare. That Monarch liked such pieces as *The London Cuckolds*, &c., and used to laugh heartily at the mishap of an intriguing hair-dresser, in getting in at a lady's window in the morning, when the sweeps pass by, and blacken the gallant's posteriors. When he went to see Richard III., the busile of which pleased him, he was struck with the proffered homage of the Mayor of London, and said, "Dat is goot Lord Mayor!" And when Richard was bellowing out in his distress in Bosworth-field, his Majesty said, "Will not dat goot Lord Mayor come back again to help him?"

not disinclined to that appropriate show which is befitting a British monarch, and which has been always displayed by our princes on particular occasions. He could never be induced to patronize the caprices of gaudy fashion, or the displays of pompous extravagance; but he never forgot that he was to support the character of a king, and he was pleased with the style and parade which justly appertained to his high office. Thus, all that was strictly connected with his regal state, was observed at those reviews, or processions, or public exhibitions which he attended. He was a good antiquary in all that is material in books or prints, concerning the forms and order of our ancient state ceremonials. He regarded not so much the brilliancy, as the fitness of the symbols and attributes of royalty, for the time, place, and object. When he patronized, on so superb a scale, the commemoration of Handel, he, with his wonted propriety of taste, fixed upon Westminster-abbey as the scene for sacred concerts: he was quite indifferent to the coarse and impudent attempts frequently made by the disappointed or the needy dishonourable to censure his conduct, or to burlesque it, by holding up his amiable peculiarities in a ridiculous light. This was shown in the case of Wolcot, a very profligate man, and an immoral writer, whose publications, under the assumed name of Peter Pindar, for several years, brought base profits to himself and his booksellers; though almost with the avowed object of exposing the domestic transactions of the royal family to derision. This mercenary adventurer of the pen,

who had been a physician, and afterwards somewhat of a painter, had a ready talent of rhyming, and a share of light ingenuity and point in putting together all sorts of offensive ribaldry. But Peter Pindar's works have long lost all interest, except what may arise from curiosity to see how far impertinence was tolerated. They produced no effect on the temper of a king, who was not daunted by the knife of Margaret Nicholson or the pistol of Hadfield. He sometimes read and laughed at them, not listening to recommendations of prosecutions. No monarch was ever insulted by more coarse and scandalous caricatures, exhibited even in shop-windows within sight of his palace; but prints and pasquinades were alike treated with indifference. A pretty bold caricature was once shown to his majesty, in which Warren Hastings was represented wheeling the king and the chancellor in a wheelbarrow for sale, and crying, "What a man buys, he may sell." The inference intended was, that his majesty and lord Thurlow used improper influence in Hastings's favour. The king smiled at it, and observed, "Well, this is something new. I have been in all sorts of carriages, but was never put into a wheelbarrow before."*

Difference in politics did not govern the king's conduct when he saw among those who opposed his measures a patriotic disposition in a trying emergency. Thus the part so manfully and elo-

quently taken by the late Mr. Sheridan during the naval mutiny drew from his majesty his repeated approbation in public and in private circles.

ANECDOTES.—"The king was one day passing in his carriage through a place near one of the royal palaces, when the rabble were gathered together to interrupt the worship of the dissenters; his majesty stopped to know the cause of the hubbub, and being answered it was only some affair between the town's people and the Methodists, he replied, loud enough to be heard by many, 'The Methodists are a quiet good kind of people, and will disturb nobody; and if I can learn that any persons in my employ disturb them, they shall be immediately dismissed.' The king's most gracious speech was speedily recapitulated through the whole town; and persecution has not dared to lift its hand there since that period."—*Cobbin's French Preacher*, 8vo. p. 129.

Upon an occasion when his late majesty was at his stables (it being almost his constant practice to walk from the Castle, and mount his horse at the Mews, to ride to his farms) he entered into conversation in the most familiar manner with a Mr. Smith, who was superintending the rebuilding of his house, which had been destroyed by fire. His majesty observed, that it would be a great improvement, if the external wall was carried out a few feet further; and upon Mr. Smith replying that it was his majesty's private property and of course he could not have presumed to have solicited such a favour, the king turned round, and said quickly,

* The Duke of Cumberland, the King's uncle, though a jolly fellow, was not so good-natured. He could scarcely forgive Lord Townshend, for sketching with his cane on the snow an outline of his Royal Highness's huge frame.

‘What! did you think, Smith, I was so bad a neighbour? Take it, take it.’

Extracts from a letter written by Dr. Ayscough (afterwards dean of Bristol) to Dr. Doddridge, dated Gerrard-street, Feb. 16, 1744-5:—

“Good Sir,—* * * * I am obliged to you for your kind congratulations on the honour his royal highness has lately done me, in trusting me with the education of his children. I am truly sensible of the difficulties as well as the advantages of the station I am placed in. * * * I thank God I have one great encouragement to quicken me in my duty, which is—the good disposition of the children intrusted to me: as an instance of it, I must tell you, that prince George (to his honour and my shame) had learnt several pages in your little book of verses, without any directions from me: and I must say of all the children (for they are all committed to my care) that they are as conformable, and as capable of receiving instruction, as any I ever yet met with. How unpardonable, then, I should be, both in the sight of God and man, if I neglected my part towards them: all that I can say is, that no care or diligence shall be wanting in me; and I beg the prayers of you, and every honest man, for the divine blessing on my endeavours. I am, good Sir, with great truth and regard, your affectionate friend and humble servant,

“FRANCIS AYSCOUGH.”

“At a levee, soon after the experiments on gunpowder had been made, I happened to be standing next to the duke of Richmond, then master-general

of the Ordnance, and the duke informed his majesty, that they were indebted to me for a great improvement in its fabrication. On my saying that I ought to be ashamed of myself, inasmuch as it was a scandal in a Christian bishop to instruct men in the mode of destroying mankind, the king answered, ‘Let not that afflict your conscience, for the quicker the conflict, the less the slaughter.’” — *Bishop Watson’s Life*.

“The following Windsor anecdote was told me by the late Dr. Heberden:—The clergyman there, on a day when the Athanasian creed was to be read, began with ‘Whosoever will be saved,’ &c.; the king, who usually responded with a loud voice, was silent; the minister repeated, in a higher tone, his ‘Whosoever,’ the king continued silent; at length the Apostles’ Creed was repeated by the minister, and the king followed him throughout with a distinct and audible voice.” — *Ibid*.

The following accounts are taken from the Diary and Letters of Dr. Beattie, published in Forbes’s Life of that popular writer, and show in a striking manner the acuteness, good sense, and good nature of the late king:—

“Tuesday, the 24th of August, 1773, set out for Dr. Majendie’s, at Kew-green. The doctor told me that he had not seen the king yesterday, but had left a note in writing to intimate that I was at his house to-day; and that one of the king’s pages had come to him this morning to say, ‘that his majesty would see me a little after 12.’

“At twelve, the doctor and I

went to the king's house, at Kew. We had been only a few minutes in the hall, when the king and queen came in from an airing; and as they passed through the hall, the king called to me by name, and asked how long it was since I came from town. I answered, about an hour. 'I shall see you,' says he, 'in a little.' The doctor and I waited a considerable time (for the king was busy), and then we were called into a large room, furnished as a library, where the king was walking about, and the queen sitting in a chair. We were received in the most gracious manner possible by both their majesties. I had the honour of a conversation with them (nobody else being present but Dr. Majendie) for upwards of an hour, on a great variety of topics, in which both the king and queen joined, with a degree of cheerfulness, affability, and ease, that was to me surprising, and soon dissipated the embarrassment which I felt at the beginning of the conference. We had much conversation on moral subjects; from which both their majesties let it appear, that they were warm friends to Christianity; and so little inclined to infidelity, that they could hardly believe that any thinking man could really be an atheist, unless he could bring himself to believe that he made himself—a thought which pleased the king exceedingly, and he repeated it several times to the queen. He asked whether any thing had been written against me. I spoke of the late pamphlet, of which I gave an account, telling him, that I never had met with any man who had read it, except one quaker. This brought on some discourse about

the quakers, whose moderation and mild behaviour the king and queen commended. I was asked many questions about the Scots universities, the revenues of the Scots clergy, their mode of praying and preaching; the medical college of Edinburgh, Dr. Gregory (of whom I gave a particular character), and Dr. Cullen; the length of our vacation at Aberdeen, and the closeness of our attendance during the winter; the number of students that attend my lectures; my mode of lecturing, whether from notes, or completely written lectures; about Mr. Hume, and Dr. Robertson, and lord Kinnoul, and the archbishop of York, &c. His majesty asked what I thought of my new acquaintance, lord Dartmouth? I said, there was something in his air and manner which I thought not only agreeable, but enchanting, and that he seemed to me to be one of the best of men—a sentiment in which both their majesties heartily joined. 'They say that lord Dartmouth is an enthusiast,' said the king; 'but surely he says nothing on the subject of religion, but what every Christian may, and ought to say.' He asked, whether I did not think the English language on the decline at present? I answered in the affirmative; and the king agreed, and named the 'Spectator' as one of the best standards of the language. When I told him that the Scots clergy sometimes prayed a quarter, or even half an hour, at a time, he asked whether that did not lead them into repetitions? I said it often did. 'That,' said he, 'I don't like in prayers; and, excellent as our liturgy is, I think it somewhat faulty in

that respect.' 'Your majesty knows,' said I, 'that three services are joined in one, in the ordinary church service, which is one cause of those repetitions.' 'True,' he replied, 'and that circumstance also makes the service too long.' From this, he took occasion to speak of the composition of the church-liturgy, on which he very justly bestowed the highest commendation. 'Observe,' his majesty said, 'how flat those occasional prayers are, that are now composed, in comparison with the old ones.' We discussed a great many other topics; for the conversation, as before observed, lasted for upwards of an hour, without any intermission. The queen bore a large share in it. Both the king and her majesty showed a great deal of good sense, acuteness, and knowledge, as well as of good nature and affability. At last, the king took out his watch (for it was now almost 3 o'clock, his hour of dinner), which Dr. Majendie and I took as a signal to withdraw. We accordingly bowed to their majesties, and I addressed the king in these words—'I hope, Sir, your majesty will pardon me, if I take this opportunity to return you my humble and most grateful acknowledgments for the honour you have been pleased to confer upon me.' He immediately answered, 'I think I could do no less for a man who has done so much service to the cause of Christianity. I shall always be glad of an opportunity to show the good opinion I have of you.' The queen sate all the while, and the king stood, sometimes walking about a little. Her majesty speaks the English language with

surprising elegance, and little or nothing of a foreign accent. There is something wonderfully captivating in her manner, so that if she were only of the rank of a private gentlewoman, one could not help taking notice of her, as one of the most agreeable women in the world. Her face is much more pleasing than any of her pictures; and in the expression of her eyes, and her smile, there is something peculiarly engaging.

DR. BEATTIE TO MISS VALENTINE.

London, July 20th, 1787.

"I am just returned from Windsor, where I passed three days. I went thither, partly to see some friends, but chiefly that I might pay my respects to the king and queen. They both received me in the most gracious manner. I saw the king first on the terrace, where he knew me at first sight, and did me the honour to converse with me a considerable time.

"The king talked of various matters, particularly the union of the colleges. He asked whether I was for or against it. I told him I was a friend to the union. 'But lord Kinnoul,' said he, 'is violent against it (this, by-the-by, I did not know before). The king spoke jocularly of my being fat: 'I remember the time,' said he, 'when you were as lean as Dr. * * * * there,' pointing to a gentleman who was standing by. 'You look very well,' said his majesty to me, 'and I am convinced you are well, if you would only think so. Do, Dr. Heberden,' said the king, 'convince Dr. Beattie, that he is in perfect

health.' (Dr. Heberden was also standing by.)"

Upon a particular occasion the late king was in high spirits at a morning's review of Foot-guards in the Little Park. The spectators were numerous. Mr. Windham, the life of a female party, was among them, remarking and explaining every thing with his usual happy quickness. "This is all very fine; I came down on purpose to see it. It is better than the formal shows were at Versailles." The king, turning round suddenly to him, "Ah! Windham, you are there: I hope you like it all." At a review of Horse-guards next morning in the Great Park, a grand line of royal and other carriages was formed, and behind them an exhibition was made of all the valuable horses of his majesty from their different stables: some drawing handsome royal carriages, with saddle-horses and chargers—English, German, and Oriental. They made a fine show. The king divided his spare moments during the review between the Queen and the Princess of Wales. He called his consort's notice to the smart horsemanship of the duke of Cumberland and others. To the princess of Wales he paid peculiar attention, desiring her to stop the week out at Windsor. On her royal highness making some excuses, his majesty said, "I'll take no excuse. No, no; you must stay. I have got something for your amusement every day—every day." Turning to lord Winchilsea, the king said, "Winchilsea, Winchilsea, do you see my horse? I mounted him fresh since I came into the park, as I always do; I have had him twenty years, and he is good now.

Do you know the secret? I'll tell you, Winchilsea. I know his worth, and I treat him accordingly. That's the right way, Winchilsea;" and then trotted off to somebody else. These are only mentioned as instances, to those who did not approach the king, of his free familiar conversation. He kept every one in good humour, and always spared them the trouble of making long ceremonious answers. On these fêtes he introduced a new court costume, of garter blue and gold, with scarlet waistcoats, which was worn by most noblemen who were not in uniforms. It looked grand, but quite after the old heavy style. For some time before this, he had taken a great liking to the Royal Horse-guards blue, and had them constantly at Windsor. On common occasions it was his fancy to wear a captain's uniform of that regiment, and he appointed for himself a troop and captaincy in it. He made them a present, in the upper castle-yard, of a superb pair of solid silver kettle-drums, and prefaced his gift with a short address to them, saying, among other things, "These are silver kettle-drums for you. I give them with pleasure. I know you will value them, and take proper care of them. I am sure of that!" The king sat his horse on this occasion so well, as to excite the strong approbation of a celebrated judge of equestrian performances who was present.

A year afterwards his majesty projected a more extensive excursion to the west of England than he had ever taken, but this was laid aside. He had been reading and talking a little about Queen Elizabeth's Progresses.

The following anecdote, though of an humble character, shows at once the late king's attention to small matters, and his retentive memory:—

It was ever his majesty's custom to pay an early visit to his Mews, if not to mount, to look at and pat his favourite horses. One morning, on entering, the grooms were disputing one with the other very loudly, so that the king for a short time was unnoticed. "I don't care what you say, Robert," said one, "but every one else agrees, that the man at the Three Tuns makes the best purl in Windsor." "Purl! purl!" said the king, quickly; "Robert, what's purl?" This was explained to be warm beer, with a glass of gin, &c.; his majesty listened attentively; and then turning round said, loud enough to be heard by all, in the way of admonishing, "I dare say very good drink, but, grooms, too strong for the morning; never drink in a morning."

Eight or nine years after this, his majesty happened to enter the stables much earlier than usual, and found only a young lad, who had recently been engaged, and to whom the king was unknown. "Boy, boy," said he, "where are the grooms; where are the grooms?" "I don't know, sir; but they will soon be back, because they expect the king." "Ah, ah," said he, "then run, boy, and say the king expects them; run boy to the Three Tuns; they are sure to be there, for the landlord makes the best purl in Windsor."

His habitual abstinence from the customary pleasures of the table was scarcely equalled by

nions who had enough to eat. Fruit was the only luxury in which he indulged, and that was cultivated in the royal gardens to high perfection, and served at table in great abundance.

The king's munificence was noble as it was discriminating. During his illness in 1789, a committee was appointed to examine the state of the privy purse. When, out of an income of 60,000*l.* per annum, it was found that his majesty never gave away less than 14,000*l.* a year in charity!

When the king went to look at Salisbury Cathedral, the tower of which was at that time under repair, he was without attendants, and his person, at first, not recognized. Looking over the book of subscribers, he desired to be put down for 1,000*l.* "What name shall I write, sir?" said the person present. "Oh!—a gentleman of Berkshire," replied the king; thus by a noble simplicity identifying himself with his subjects. A draft was then given for the money.

George III. paid unremitting attention to the scholars of Eton school. He knew the most distinguished boys by name, noted their reputations and characters in his memory, and has been known to remind an eminent statesman of the prize which he had gained at school.

The following is an affecting trait of the warm parental affection of his late majesty:—Not many days before the lamented death of princess Amelia, and when her royal highness received the awful communication from her physicians of her impending danger, she expressed a wish to have a very valuable and choice stone,

in the possession of her royal highness, put to a ring for the king, for him to wear in remembrance of her; and to complete her wishes, she desired it might be manufactured without delay, that she might have herself the pleasure of presenting and putting it on the finger of her beloved father, previous to departure from life. To satisfy her wishes, a person from Rundell and Bridges', the jewellers to the royal family, was sent for to London, and dispatched from thence by express. On his arrival at Windsor, he was shown into the chamber of her royal highness, and she gave him the necessary instructions herself for the immediate manufacture of the ring. It was executed immediately, and the man who furnished it had a handsome present for his dispatch. Her royal highness had, on the following day, the melancholy gratification of placing the ring on his late majesty's finger, as he affectionately squeezed her hand at parting. The scene of the ring, for which the king had received no previous preparation, was observed to affect his majesty deeply: his mental distress became immediately great, and in a few days the royal family were alarmed by the appearance of the melancholy symptoms of the disorder which ever since afflicted his majesty, until death terminated his sufferings. So rapid was the operation of the dreadful malady, that its existence was decisively confirmed by the physicians before the death of the princess Amelia, although not many days intervened between that fatal result and the presentation of the ring.

Numerous attempts have been made during his late majesty's reign, to obtain the emancipation of the Catholics, by removing the disabilities under which they labour, and to confer upon them various offices in the army and navy; and, although the enlightened and liberal spirit of toleration, by which our revered king was actuated, prompted him to grant them several concessions, yet his conscientious regard to the solemnity of an oath irresistibly deterred him from yielding to any further demands. Of this adherence to his engagements, the following declaration of his majesty affords a striking example:—

“ My lord—I am one of those who respect an oath. I have firmness sufficient to quit my throne, and retire to a cottage, or place my neck on a block or a scaffold, if my people require it; but I have not resolution to break that oath which I took in the most solemn manner at my coronation.”

The late king, some years ago, having purchased a horse, the dealer put into his hands a large sheet of paper, completely written over. “ What's this?” said the king. “ The pedigree of the horse which your majesty has just bought,” was the answer. “ Take it back, take it back,” said the king, laughing, “ it will do just as well for the next horse you sell.”

In a journal of February 1786, we find the following passage, which affords one among a thousand traits of the benevolence so conspicuous in the character of George III.

“ A gentlewoman of the name of Delany, said to have been an

intimate acquaintance of Dr. Swift, lived for several years with the duchess of Portland as a companion. On the decease of her grace, Mrs. Delany was, at the age of 84, left almost entirely destitute, the only legacy bequeathed her being a few curiosities. The princesses having frequently seen Mrs. Delany in their visits to the duchess, and knowing her circumstances, took an opportunity of mentioning her case before the queen, who, with that goodness of heart for which she has always been distinguished, immediately laid the matter before the king, when his majesty readily consented to give her a small house in Windsor Park; and on its being represented by lady Harcourt that something more was requisite to enable the old gentlewoman to pass the evening of her days in comfort, not only furnished the house with every necessary article, but after taking the trouble to inspect the premises, that nothing might be wanting, settled upon her a handsome pension for life."

The next anecdote which we shall select, proves that his majesty was superior to any little pride of rank, when put in competition with the strict discharge of duty even by an humble individual. It is recorded under the date of August 16, 1787.

"A very particular circumstance occurred on Wednesday, which has occasioned much conversation in Windsor. His majesty, after parading the terrace with the duke of York, rested his arm on the sun-dial which is near the end of the walk; the duke did the same, and continued in conversation with some gentlemen with whom they had for

some time before been walking. During this parley, a sentinel upon duty there walked up to the king, and 'desired his majesty to remove from the dial, as it was under his particular charge.' His majesty removed accordingly, observing at the same time that the man's rigid adherence to his orders was highly commendable; and a few hours afterwards he was graciously pleased to recommend him to the colonel of the regiment as an object worthy of promotion, and one who ought to be provided for in as eligible a manner as the nature of the service would admit."

A person at Windsor, about a year before his majesty's malady last returned, wishing to see his majesty, went before eight o'clock in the morning to the castle; and as soon as the clock struck eight, the gates were thrown open, and he was conducted to the private chapel by an attendant, who left him there alone, when he brought another gentleman. Shortly after came the chaplain: he looked out the lessons, &c. then sat down a few minutes, when a pair of folding doors opened, and his majesty, led by two attendants, came in, followed by two of the princesses, and lady Albinia Cumberland. After his majesty had been conducted to his chair, service began, when his majesty acted as clerk through every prayer, in a most audible voice. At the petition, "Give peace in our time, O Lord!" his majesty, with uplifted hands, repeated, "Because there is none other that fighteth for us;" then, with the strongest emphasis, added, "but only thou, O God!" His majesty followed the chaplain through the psalms, nearly as

correctly as if he had possessed his eye-sight, and had a book before him.

The various attempts to assassinate his majesty, made by traitors and madmen, gave full opportunity to the display of his personal intrepidity; for these we must refer to Annual Register for 1786, 1795, 1800, &c. The unbending firmness of his political character cannot be more clearly illustrated than in the following extracts from the Bishop of Winchester's Life of Mr. Pitt. The occasion alluded to in the extracts was the opposition of the House of Commons to Mr. Pitt's first administration:—

“ This was a most inauspicious beginning of Mr. Pitt's administration. On the first day he appeared in the House of Commons, after his re-election, he was left in two minorities, the one of 39, and the other of 54; and five hostile motions were carried against him. The most reproachful terms, which disappointed ambition and political animosity could suggest, were applied to his principles and his conduct; and he was denied those common civilities which had been hitherto invariably shown to the minister of the Crown. Having written to the king, at Windsor, a general account of these proceedings, he received the following answer from his majesty:—‘ Mr. Pitt cannot but suppose, that I received his communication of the two divisions in the long debate, which ended this morning, with much uneasiness, as it shows the House of Commons much more willing to enter into any intemperate resolutions of desperate men, than I could have ima-

gined. As to myself, I am perfectly composed, as I have the self-satisfaction of feeling, I have done my duty. Though I think Mr. Pitt's day will be fully taken up in considering with the other ministers, what measures are best to be proposed on the present crisis; yet that no delay may arise from my absence, I will dine in town, and consequently be ready to see him in the evening, if he should think that would be of utility. At all events, I am ready to take any step that may be proposed to oppose this faction, and to struggle to the last period of my life; but I can never submit to throw myself into its power. If they, in the end, succeed, my line is a clear one, and to which I have fortitude enough to submit.’

“ Having found, at an interview, that firmness in his majesty, which his letter indicated,* and being himself by no means alarmed, either by the number or by the violence of his enemies, Mr. Pitt determined, with the full concurrence of his colleagues, to persevere in maintaining his station. Agreeably, therefore, to the notice he had given, he submitted to the House, on the 14th, a plan for the government and management of the affairs of the East India company; the general outlines of which were, that the po-

* “ In another letter to Mr. Pitt, his majesty thus expressed himself: ‘ The Opposition will certainly throw every difficulty in our way; but we must be men, and if we mean to save the country, we must cut those threads, that cannot be unravelled. Half measures are ever puerile, and often destructive.’ This letter was written on 25th of January, and referred particularly to a dissolution of parliament, which his majesty then thought ought to be resorted to immediately.”

litical concerns of the company in India, should be placed under the control of a board of commissioners, to be nominated by the king; and that the commerce and patronage should be left in the hands of the directors. * * *

“ In consequence of the eagerness for an union of parties, repeatedly expressed by the House of Commons, Mr. Pitt, desirous that no backwardness upon the subject should be imputed to him, thought it right, as the most probable means of accomplishing the wishes of so many respectable men, to advise the king to propose an interview between the duke of Portland and himself (Mr. Pitt) for the purpose of endeavouring to form an administration including themselves and their respective friends. This suggestion was received by his majesty with considerable surprise and agitation; and the next morning he wrote to Mr. Pitt the following letter, dated Feb. 15th, 1784 :

“ *Queen’s House, 30 M. p. 10 A.M.*

“ Mr. Pitt is so well apprized of the mortification I feel at any possibility of ever again seeing the heads of Opposition in public employments, and more particularly Mr. Fox, whose conduct has not been more marked against my station in the empire, than against my person, that he must attribute my want of perspicuity in my conversation last night to that foundation, yet I should imagine it must be an ease to his mind, in conferring with the other confidential ministers this morning, to have on paper my sentiments, which are the result of unremitted consideration, since he left me last night, and which he has my consent to communi-

cate, if he judges it right, to the above respectable persons.

“ My present situation is perhaps the most singular that ever occurred, either in the annals of this or any other country; for the House of Lords, by a not less majority than near two to one, have declared in my favour; and my subjects at large, in a much more considerable proportion, are not less decided; to combat which, Opposition have only a majority of twenty, or at most of thirty, in the House of Commons, who I am sorry to add, seem as yet willing to prevent the public supplies. Though I certainly have never much valued popularity, yet I do not think it is to be despised, when arising from a rectitude of conduct, and when it is to be retained by following the same respectable path, which conviction makes me esteem that of duty, as calculated to prevent one branch of the legislature from annihilating the other two, and seizing also the executive power, to which she has no claim.

“ I confess I have not yet seen the smallest appearance of sincerity in the leaders of Opposition, to come into the only mode by which I could tolerate them in my service, their giving up the idea of having the administration in their hands, and coming in as a respectable part of one on a broad basis; and therefore I, with a jealous eye, look on any words dropped by them, either in parliament, or to the gentlemen of the St. Alban’s tavern, as meant only to gain those gentlemen, or, if carrying farther views, to draw Mr. Pitt, by a negotiation, into some difficulty.

“ Should the ministers, after

discussing this, still think it advisable, that an attempt should be made to try, whether an administration can be formed on a real, not a nominal, wide basis, and that Mr. Pitt, having repeatedly, and as fruitlessly, found it impossible to get even an interview on what Opposition pretends to admit is a necessary measure, I will, though reluctantly go personally so far as to authorize a message to be carried in my name to the duke of Portland, expressing a desire that he and Mr. Pitt may meet to confer on the means of forming an administration, on a wide basis, as the only means of entirely healing the divisions which stop the business of the nation. The only person I can think, from his office, as well as personal character, proper to be sent by me, is lord Sydney; but should the duke of Portland, when required by me, refuse to meet Mr. Pitt, more especially upon the strange plea he has as yet held forth, I must here declare, that I shall not deem it right for me ever to address myself again to him.

“ ‘ The message must be drawn on paper, as must every thing in such a negotiation, as far as my name is concerned; and I trust, when I next see Mr. Pitt, if, under the present circumstances, the other ministers shall agree with him in thinking such a proposition advisable, that he will bring a sketch of such a message for my inspection.

“ ‘ GEORGE R.”

THE ROYAL MAUSOLEUM AT WINDSOR.—The coffin of his royal highness the duke of Kent is the eighth which has been de-

posited in this mausoleum. The first body placed here was that of princess Amelia; the next the duchess of Brunswick, his late majesty's sister; the third and fourth, our late lamented princess Charlotte and her child; the fifth the late queen; the sixth and seventh, the young princes, Octavius and Alfred; and the eighth, the duke of Kent. His late majesty forms the ninth inmate of this humbling and equalising mansion. Our late lamented sovereign took considerable interest in the construction of this cemetery. It was begun by his majesty's orders to the late Mr. Wyatt, in 1810. An excavation was formed in a dry rock of chalk, of the whole length and width of the building, called Wolseley's Tomb House, originally intended by the ambitious cardinal as the depositary of his remains, within the walls of which it is inclosed to the depth of 15 feet from the surface. The dimensions of the tomb are 70 feet in length, 28 in width, and 14 in depth. In digging the foundation, the remains of an embalmed female and child, in a leaden coffin, were discovered in a state of perfect preservation. They were supposed to be those of Eleanor, Edward's queen, and her infant child, and were, after being kept two days open to view, again entombed. The receptacles for bodies in this tomb are formed of gothic octagon columns, supporting a range of four shelves, each of which, in the space between the columns, is formed to contain two bodies, the whole range of each side affording space for 32 coffins. At the east end are five niches, for the reception of as many coffins. In the centre 12 low tombs are erected for the

reception of sovereigns. The sepulchre is thus calculated to receive seven bodies. The columns are of fine bath stone, and the shelves are of Yorkshire stone. It is a singular fact, that though his late majesty was constantly present with Mr. Wyatt, in the progress of the formation of this tomb, it pleased Providence to spare him the grief of seeing the interment of any member of his august family within its walls, though three weeks had scarce elapsed after the appearance of the illness which clouded the declining years of his majesty's life, when the first coffin (that of the princess Amelia) was deposited in the then unfinished vault erected by her beloved parent.

From the London Gazette, Saturday, Feb. 5.

By the KING.—A PROCLAMATION:

Requiring all persons, being in office of authority or government at the decease of the late King, to proceed in the execution of their respective offices.

GEORGE R.

Whereas by an act, made in the 6th year of the reign of her late majesty Queen Anne, intituled "An act for the security of her Majesty's person and government, and of the succession to the Crown of Great Britain in the Protestant line," it was enacted, that no office, place, or employment, civil or military, within the kingdom of Great Britain or Ireland, dominion of Wales, town of Berwick-upon-Tweed, isles of Jersey, Guernsey, Alderney, and Sark, or any of his majesty's plantations, should become void by reason of the demise of her

said late majesty, her heirs or successors, kings or queens of this realm, but that every person and persons in any of the offices, places, and employments aforesaid, should continue in their respective offices, places, and employments for the space of six months next after such death or demise, unless sooner removed and discharged by the next successor to whom the imperial crown of this realm was limited and appointed to go, remain, and descend; and whereas by an act, made in the 57th year of the reign of his late majesty king George the 3rd, intituled "An act for the continuation of all and every person or persons in any and every office, place, or employment, civil or military, within the united kingdom of Great Britain and Ireland, dominion of Wales, town of Berwick-upon-Tweed, isles of Jersey, Guernsey, Alderney, Sark, and Man, and also in all and every of his majesty's foreign possessions, colonies, or plantations, which he or she shall hold, possess, or exercise, during the pleasure of the crown, at the time of the death or demise of his present majesty, until removed or discharged therefrom by the succeeding king or queen of this realm," it was enacted, that all and every person and persons who, upon the day of the demise of his said late majesty, should hold any office, civil or military, under the crown during pleasure, should under and by virtue of the said act, and without any new or other patent, commission, warrant, or authority, continue and be entitled in all respects, notwithstanding the demise of his said majesty, to hold and enjoy the same; but,

nevertheless, the same should be held or enjoyed only during the pleasure of the king or queen who should succeed to the crown upon the demise of his said late majesty, and the right and title to hold and enjoy the same, under the authority of the said act, should be determinable in such and the like manner by the king or queen, who upon the demise of his said late majesty should succeed to the crown, as the right or title to any office, place, or employment granted by such succeeding king or queen during pleasure, would by law be determinable; we, therefore, with the advice of our privy council, declare our royal will and pleasure to be, and do hereby direct and command, that all and every person and persons who, at the time of the demise of our late royal father, of glorious memory, duly and lawfully held, or were duly and lawfully possessed of or invested in any office, place, or employment, civil or military, within our united kingdom of Great Britain and Ireland, dominion of Wales, town of Berwick-upon-Tweed, isles of Jersey, Guernsey, Alderney, Sark, or Man, or any of our foreign possessions, colonies, or plantations, do severally, according to their places, offices, or charges, proceed in the performance and execution of all duties belonging to their respective offices, whilst they shall hold the same respectively during our pleasure; and we do hereby require and command all our subjects to be aiding, helping, and assisting at the commandment of the said officers and ministers, in the performance and execution of their respective offices and places, as they and

every of them tender our utmost displeasure, and will answer the contrary at their peril.

Given at our Court at Carlton-house, the 31st day of January, 1820, in the first year of our reign.

FRENCH FINANCE.—The following is a sketch of Mr. Roy's (the Finance Minister) exposition of the Revenue of France, as given by him in the Chamber of Deputies, on the 29th of January, 1820: It was not enough, he said, that the chambers legalized the taxes by their vote; the tax-payers should share the conviction of the legislature, that the burdens imposed were necessary. The first obligation of the state is, to secure the exact payment of the rentes, and of the dotation of the sinking fund. It was pleasant to consider these two services as inseparable, and thus to support the honour of the present generation, and to prepare relief for the future. The chamber knew that the interest of the debt, and the dotation of the sinking fund, required this year the sum of 228,341,200 francs. It was proposed to appropriate for this purpose those branches of revenue which were placed most beyond the uncertainties of the seasons—namely, the produce of those duties, the collection of which was intrusted to the administration of registration; and of the domains, those which would arise from the sale of the forests and from the customs, including the produce of the tax on salt. These three branches would yield 247 millions, while the interest of the debt and the charges of the sinking fund demanded only 228,000,000. The excess of

18,638,800 francs would be joined to the sum of 492,712,750 francs, expected to arise from the other sources of revenue, in order to form a total fund of 511,371,550 francs, which the state requires to balance the expenditure of 1820. The estimates which form the result of 511,371,550 are lower by 13 millions than those of 1819. The direct contributions produced as much as they were calculated by law to produce, this branch of revenue being not susceptible of greater variations than the mass of the population and property from which it springs. The duties of enregistrement, which include those of stamps, the domains and forests are next to the direct contributions, the most productive, and amount in the estimate of 1820, to 147,000,000. The estimate was higher last year. The customs, a defensive institution against foreign, in favour of French industry, and a useful source of revenue to the public treasury, would always be important in an agri-

cultural and commercial country like France. The produce of this branch of revenue was estimated at 86,000,000 francs for 1820. The indirect contributions, including 40,000,000 francs from the sale of tobacco, would produce 140,000,000 francs. The produce of the post-office was estimated at 12,097,000 francs. This establishment, created more for the advantage of commerce and the convenience of society, than for the benefit of the treasury, was not calculated upon for a great increase of revenue. From the lottery was expected the sum of 9,000,000 francs. The drawback on salaries amounted to 5,600,000. Such was, said the minister, the analysis of the whole of the ways and means. This statement contained only the nett produce of the revenue. It was proper to state how much the collection cost. The charges of collection were estimated at the sum of 134,375,130 francs, distributed as follows:—

	Francs.
Direct contributions	30,126,220
Registration, stamps, and domains	11,987,500
Forests	3,047,400
Customs and salt duties	23,013,000
Indirect contributions	47,316,300
Post-office	11,693,710
Lottery	5,000,000
Miscellaneous	1,192,000

134,375,130

The gross produce of the revenue was estimated at 874 millions, and the charge of collection, making all deductions, would amount to about the eighth part of that sum, or $12\frac{1}{2}$ per cent. This, said his excellency, is a great proportion; but it is rendered necessary by the system of indirect taxation, which requires

for its collection great vigilance and activity, and consequently a numerous body of officers. After some further observations, his excellency concluded, and a project of law, in conformity with the purport of his speech, was read, and ordered to be taken into consideration by the bureaux.

DRAFT OF THE FRENCH ELECTION LAW (as proposed by the Count De Cazes, Minister of the Interior, on the 15th day of February, 1820).

TITLE I.—*Number of Deputies to be elected, and formation of Electoral Colleges.*

Art. I.—The Chamber of Deputies is composed of 430 Members.

2. Two hundred and fifty-eight deputies are chosen by the electoral arrondissement colleges, and 172 by the departmental colleges, conformably to the table annexed to the present law.

3. The departments are divided into electoral arrondissements, conformably to the said table. Each electoral arrondissement has a college, consisting of all the electors who have their political domicile within the arrondissement.

4. The departmental colleges are composed of 600 electors at the most, and 100 at least chosen by the arrondissement colleges. The number of the members of the college for each department is determined by the table annexed to the present law.

5. In order to form the departmental college, each electoral arrondissement college chooses, from the list of the electors of the department who pay 1,000 francs of direct taxes, an equal number of electors.

6. When the list of the electors paying 1,000 francs of direct taxes does not exceed, by at least one-fourth, the whole of the members of the departmental college, the said list is augmented in that proportion by placing on it the electors subject to the highest assessment, taken in an equal number

from each electoral arrondissement.

7. If the number of the members of the departmental college, or the number of the highest assessed electors summoned to it, cannot be divided among the electoral arrondissements, the fractional members are given to the most populous arrondissement.

8. When an elector has been appointed to the departmental college by several arrondissement colleges, his election is held to belong to that college in which he obtained the greatest number of votes. The number of members of the departmental colleges assigned to the other colleges which have appointed the said elector, is completed for each college by taking successively the electors who have obtained the greatest number of suffrages.

9. The list of the departmental college is therefore drawn up from the minutes of the arrondissement colleges, by a committee consisting of the president and secretary of each of the arrondissement colleges, and presided by the prefect.

10. The departmental college is renewed as often as the department has to appoint its whole deputation.

11. In the departments in which the number of electors does not exceed 150, there is only one college, which proceeds directly to the election of the whole deputies for the department.

TITLE II.—*Provisions relative to the quotas for electors and persons who are eligible.*

12. One-half of the fixed quota, either for being eligible or for being an elector, must be paid

in land-tax. In forming these quotas, neither the facultative departmental centimes, nor the communal centimes shall be taken into the account.

13. The land-tax is not taken into account except for the proprietor or usufructuary, notwithstanding any agreement to the contrary with possessors or tenants.

14. The taxes paid by a widow are allowed to be reckoned for such of her sons as she may fix on.

15. The eligible or the elector must be assessed for the current year to the amount of the fixed quota, and must have paid it for the preceding year. The possessor on a title of succession is alone exempt from this condition.

16. Whoever presents himself either as eligible or elector, is obliged to affirm, on oath, if required so to do by any member of the college, or any of its officers, that he is the actual owner, or legitimate usufructuary of the real property, the taxes of which he brings into account; or if he claims on a patent, that he really carries on the business for which he took it out.

17. The oath is taken before the office (or bureau) of the college, of which the elector forms a part, or before the chamber, if the requisition apply to a deputy who has been returned, but has not taken his seat.

TITLE III.—*Formation of the Bureaux.*

18. The bureau of each college consists of a president appointed by the King, of four scrutators, who are, the president, and, in his absence, the vice-president, or the first judge of the tribunal of first resort; the president of

the tribunal of commerce, if there be one in the arrondissement (or in his default, the justice of peace of the canton in which the college is assembled); the eldest member of the council of arrondissement in which the college is assembled; and the dean of the notaries of the canton. The bureau chooses, by the majority of votes, a secretary from among the electors.

19. At Paris there is a bureau for each college, consisting of a president appointed by the king, four scrutators, who are, one of the presidents or councillors of the royal court, one of the presidents or members of the tribunal of first resort, one of the mayors or associates of the electoral arrondissement chosen by lot, and the senior of the notaries of the said arrondissement. The senior justice of the peace discharges the duty of secretary.

20. If, at the day and hour fixed for the elections, the bureau is not complete, the members of the bureau who are present fill up, by the majority of votes, the places of the absentees, by electors belonging to the college.

21. In the case of an equal division of the members of the bureau, the president has the casting vote.

TITLE IV.—*Form of the Elections.*

22. Each elector before voting swears to be faithful to the king, to obey the constitutional charter and the laws of the kingdom, and to vote on his soul and conscience according to his knowledge and personal conviction.

23. The nomination of the members of the departmental college takes place in the arrondissement colleges by the scrutiny of the list, and the relative ma-

majority of expressed suffrages. The scrutiny for this nomination is daily examined, and remains open as long as the scrutinies for the election of the deputy of the college. Both scrutinies are closed at the same time.

24. Each bulletin can only contain a number of names equal to that of the members whom the college has to elect. The names beyond that number are erased by the bureau.

25. Every elector signs his bulletin. The elector who knows not how, or may not be able, to write, dictates his bulletin to a member of the bureau, who certifies it. Every bulletin not signed or certified is null. The bulletins are burnt every day in presence of the members of the bureau, immediately after the examination of the scrutiny.

26. For the election of deputies, each elector writes his vote in the bureau, or causes it to be written, by a member of the bureau, on a bulletin furnished to him for that purpose. He delivers it to the president, who deposits it in the urn.

27. He who has obtained the absolute majority of the suffrages of the electors composing a college, is immediately proclaimed deputy by the president.

28. In the case of the absolute majority of suffrages not being obtained, the bureau appoints a second scrutiny for the next day.

29. If a ballot scrutiny takes place, it opens on the third day. The votes can then only be given to the two candidates who obtained most votes on the second day. This scrutiny remains open for five days, unless one of the candidates before that time obtain the absolute majority of the suf-

frages of the electors composing the college. The state of the scrutiny is therefore examined every evening, and the result is made public.

TITLE V.—*General Provisions.*

30. No person can be elected deputy for a department in which his political domicile is not, unless he pay in that department the half of the quota fixed for eligibility.

31. Each departmental college must choose one-half of the deputies which it returns from among eligibles who have their political domicile in the department.

32. The half of the deputies to be nominated by the arrondissement. Electoral colleges of the same department must be equally chosen among the eligibles who have their political domicile in that department.

33. When the departmental or arrondissement colleges have chosen, among eligibles who have not their political domicile in the department, more than one-half of the deputies whom they have to nominate, the annulment of the election shall fall upon the youngest person or persons so chosen. The colleges whose returns are thus annulled are convoked to proceed to a new election within the space of three months, reckoning from the decision of the chamber.

34. A person chosen by two or more colleges of the same department must within fifteen days following such election make his option, and cause it to be entered in a register open at the prefecture. The colleges whose nomination he does not accept, are convoked within the period of six

weeks to proceed to a new election.

35. In default of making known his choice within the period fixed by the preceding article, he is held to have made choice of the college in which he obtained the greatest number of suffrages.

36. In case of the dissolution of the chamber, all the deputies sit for five years, so that the renewal by fifths does not commence until the fifth year.

TITLE VI.—*Temporary Provisions.*

37. The 172 deputies whose nomination belongs to the departmental colleges shall be elected previously to the next session. The arrondissement electoral colleges shall therefore be convoked to form the renewal for the departments.

38. The fifth of the present deputies, which is to be renewed for the next session, shall be chosen by the arrondissement colleges.

39. Every elector, paying taxes in several arrondissements of the department in which his political domicile is, may, within the period of one month, dating from the publication of the present law, declare before the prefect the arrondissement in which he wishes to exercise his electoral rights. In default of such declaration, he shall be put on the list of electors for the arrondissement in which he actually resides; and, if he live out of the department, on the list of the electors of the arrondissement in which he pays the highest amount of taxes. In future an elector cannot transfer his political domicile from one arrondissement to another, except

by conforming to the regulations prescribed in article 3 of the law of the 5th February, 1817.

40. In departments where the arrondissement colleges will have no deputies to nominate, the scrutiny for the election of the members of the departmental college will remain open during three days.

41. For succeeding sessions, the departments which will have to renew their deputation will elect it entire, conformably to the present law.

42. In case of the decease or resignation of an actual deputy, the college of the electoral arrondissement, in which he had his domicile, shall proceed to a re-election. If, however, two or more deputies of a department have had their domicile in the same arrondissement, the arrondissement which is to proceed to the re-election of the deputy deceased or resigned shall be determined by lot. The same course shall be followed if the resigning or deceased deputy have his domicile out of the department.

TITLE VII.

The provisions of the laws of the 5th Feb. 1817, and the 25th of March, 1819, not affected by the present law, shall continue to be executed.

On a suggestion from general Foy, that a list of the electors, and of the persons capable of being elected in every department, should be annexed to the law, the minister said that was intended to be done, but the lists were not yet completed.

MEMOIR OF THE LIFE OF THE DUKE OF BERRI.—Charles Ferdinand, Duke of Berri, second son

of his royal highness Monsieur, was born at Versailles the 24th January, 1778. This prince gave from his earliest years indications of an ardent and promising disposition. His education was suspended for a time by the past events of the Revolution, which obliged him to withdraw from France with his august father. He prosecuted his studies at Turin under the direction of the duke de Serent, governor of their royal highnesses the dukes of Angoulême and Berri. The earlier part of his youth was passed in the midst of camps. He had the honour of receiving lessons from the illustrious prince of Conde, who was then gallantly supporting the honour of his name and the glory of his king. He was the relative and friend of the duke d'Enghein, who was, like him, the victim of assassination.

The duke of Berri in the chequered circumstances of his life was always beloved by those who were about him. In the army he was a strict disciplinarian; but he moderated the rigour of his orders by the kindness of his manner. At home he was affable, and displayed in all the relations of private life an address full of mildness and amenity. Whenever he was hurried by the characteristic ardor of his mind beyond what his cooler reflections would have allowed, he was always ready to anticipate the person who might have supposed himself ill-treated in order to offer satisfaction.

During the period of his emigration, he happened one day to reprimand, too severely, an officer full of honour. In a moment, perceiving his error, the young prince took the gentleman aside,

and said to him, "Sir, it was never my intention to insult a man of honour. On this ground I am no longer a prince—I am, like yourself, a French gentleman, and am ready to give you all the reparation you may demand."

The campaigns of the princes displayed in foreign lands the characteristic bravery of the French; but Providence reserved for other times the return of the monarchy. The duke of Berri, after having exhibited in vain his warlike disposition, was under the necessity of becoming a sojourner in England, as at that time all Germany bowed to the fortunes of Buonaparte, and his arms appeared to have closed throughout the continent all the asylums which Europe had, till that time, afforded to the Bourbons.

The prince passed several years in London, whence he was in the habit of making frequent journeys to Hartwell. In fine, he had the good fortune to return to his native shore in 1814. He landed at Cherbourg the 13th of April, when, placing his foot upon the shore, he exclaimed in tears, "Beloved France, in seeing you again my heart is filled with the tenderest emotions. Let us bring back but an oblivion of the past, and peace and the desire of giving happiness to the French." Upon the road from Cherbourg to Bayeux, he received the most affecting testimony of the love of the people. Delighted with their transports, he could only reply to their acclamations by these words:—" *Vivent les bons Normands.*"

It was in the environs of Bayeux he went unattended to meet a regiment, which had, up to that

time, refused to recognise the authority of the king. When conducted by the commander into the presence of his troop, "Brave soldiers," said he to them, "I am the duke of Berri. You are the first French regiment which I have met. I am happy to find myself in the midst of you. I come in the name of the king my uncle to receive your oath of fidelity. Let us swear together and cry '*Vive le Roi.*'" The soldiers replied to the appeal: a single voice only exclaimed "*Vive l'Empereur.*" "That is nothing," said his royal highness; "it is only the remains of an old habit; let us repeat the cry of '*Vive le Roi.*'" It was done unanimously.

The duke of Berri signaled his arrival at Caen by setting at liberty several prisoners, detained for two years for a pretended revolt, occasioned by scarcity. On the morrow they represented at the theatre the hunting party of Henry the Fourth. The prince was present. The mayor had the happy idea of introducing these poor people upon the stage; and at the rising of the curtain they were seen upon their knees with their wives and their children stretching out their hands towards the prince, and loading him with blessings. Similar traits accompanied the progress of the prince to Paris. Arrived at the Tuilleries, he ran to throw himself in the arms of his august father, and turning towards the marshals who were present, "Permit me to embrace you, also," he said, "and to make you participate in all my feelings."

From the time of his return to Paris he sought to gain the hearts of the military. He visited the barracks, mixed with the soldiers,

conversed with the chiefs. On several occasions he made use of happy expressions, which were at the time published in all the journals. One day he said to general Maison, "Let us begin to know one another—when we shall have made together a few campaigns, we shall know each other better." Unhappy prince! he ought to have fallen at least on the field of battle.

At Versailles he reviewed a regiment of cavalry, some soldiers of which frankly expressed in his presence, some regret for not being any longer led to battle by Buonaparte. "What did he do, then, so wonderful?" said his royal highness. "He led us to victory," answered the soldiers. "That, indeed, was very difficult," replied the prince, "with men such as you are!"

On the return of Buonaparte, the duke de Berri was obliged to follow his family, flying towards Belgium. When he entered Bethune, 300 soldiers cried "*Vive l'Empereur,*" with an insolent vehemence. The prince could have put them to the sword, to the last man, with his troop composed of 4,000 men, but such severity would have been looked upon as an act of useless vengeance. The duke of Berri dashes alone into the midst of these 300 men, and proposes that they should cry '*Vive le Roi*'; but finding his utmost efforts in vain, he said to them, "You see that we could exterminate you utterly; but live, ill-fated as you are, and disperse. One of them began to cry, "Long live the Emperor and the duke of Berri;" and the others repeated this cry, in which were united rebellion and gratitude.

Louis 18th at length regained his throne, and his family re-

turned along with him. The duke of Berri was regarded as the last hope of France. A young spouse was given him, and the blood of the Bourbons was on the point of being renewed. Who has forgotten the fêtes which signalized

this event? What good fortune had we promised ourselves! The young duchess belonged to us by a first pledge, and we flattered ourselves, with others, yet more dear.

PAPERS AND DOCUMENTS CONNECTED WITH THE PROCEEDINGS OF THE HOLY ALLIANCE, AND THE FOREIGN POLICY OF GREAT BRITAIN.

THE following ordinance has been issued by the king of Prussia :—

Berlin, Jan. 8.

The falsehoods—the indecorous style—the hateful tendency, which the articles respecting the royal Prussian state, its government, and its measures, exhibit in several foreign journals, oblige me to order as follows :—

1. No newspaper in the German language, published either in England or in France, shall be admitted in any part of my dominions, or allowed to pass through the country.

2. This prohibition extends to all papers published in the kingdom of the Netherlands, as well in the national as in the French and German languages ; unless an exception is asked of my ambassador to his majesty the king of the Netherlands, and granted by him. Should any such journals be introduced to read, notwithstanding this prohibition, the person who ordered them shall, on discovery, pay a fine of 20 dollars, for every such paper. And in case of inability to pay, shall be imprisoned for a proportioned time. In case of a repetition of the offence, the punishment to be

doubled. Any attempt to pass such papers through the Prussian states shall be punished by confiscation. If public officers, especially persons in the Post-office, should, contrary to expectation, permit or promote the importation or transit of the papers prohibited, they must be proceeded against according to the penal laws for the violation of their official duties, whether proceeding from design, or from great inattention or ignorance. Only such copies as are intended for our ministers are exempted from the prohibition.

FREDERIC WILLIAM.

Berlin, Dec. 30.

Note of the Imperial Russian Ministry to the Resident Spanish Minister.

Petersburgh, April 20-May 2.

The note which the Chevalier de Zea de Bermudez addressed to the ministry of Russia, under the date of the 19th of April, has been laid before the emperor.

Constantly animated with the desire of seeing the prosperity of the state and the glory of the sovereign maintaining themselves and flourishing together in Spain,

his majesty the emperor could not, without profound affliction, learn the events which have occasioned the official note of the Chevalier Zea.

Even though those events should be considered only as the deplorable consequences of the errors, which, since the year 1814, seem to have presaged a catastrophe for the Peninsula, still nothing can justify the aggressions which deliver up the destinies of the country to a violent crisis. Too often have similar disorders announced days of sorrow for empires.

The future for Spain appears again under a sombrous and disturbed aspect. Well-founded disquietude must be awakened throughout all Europe; but the more serious these circumstances are, and the more they are capable of becoming fatal to that general tranquillity of which the world has scarcely tasted the first fruits, the less does it belong to the powers guaranteeing that universal benefit to pronounce separately, with precipitation, and according to limited or exclusive views, a definitive judgment on the transactions which have marked the commencement of the month of March in Spain.

Not doubting but that the cabinet of Madrid has addressed similar communications to all the allied courts, his imperial majesty readily believes that all Europe is about to speak in one unanimous voice to the Spanish government the language of truth—consequently the language of a friendship equally frank and well-intentioned.

Meanwhile the Russian ministry cannot dispense with adding some considerations on the

anterior facts to which the Chevalier Zea de Bermudez has referred in his note. Like him, the imperial cabinet will invoke the testimony of those facts, and, in citing them, will make known to him the principles which the emperor proposes to follow in his relations with his most Catholic majesty.

In shaking off the foreign yoke which the French revolution had imposed, Spain acquired indelible titles to the esteem and gratitude of all European powers.

Russia paid her the tribute of these sentiments in the treaty of the 8th-20th of July, 1812.

Since the general pacification, Russia has, in concert with her allies, given more than one proof of the interest she takes in Spain. The correspondence which has taken place between the different courts of Europe attests the wish which the emperor has always formed that the authority of the king might be consolidated in both hemispheres, through the medium of pure and generous principles, and with the support of vigorous institutions, rendered still more vigorous by the regular mode of their establishment. Institutions which emanate from thrones are conservatory; but if they spring up amidst troubles, they only engender a new chaos. In declaring his conviction on this point, the emperor only speaks according to the lessons of experience. If we look back on the past, great examples present themselves for the meditation of nations and sovereigns.

His majesty persists in his opinion; his wishes are not changed: of that he here gives the most formal assurance.

It now belongs to the govern-

ment of the Peninsula to judge whether institutions imposed by one of those violent acts—the fatal patrimony of the revolution against which Spain had struggled with so much honour—can realise the benefits which both worlds expect from the wisdom of his most Catholic majesty, and the patriotism of his councils.

The path by which Spain shall choose to seek this important object, the measures by which she shall endeavour to destroy the impression produced in Europe by the event of the month of March, must determine the nature of the relations which his imperial majesty will preserve with the Spanish government, and the confidence which he would always wish to testify towards it.

Copy of a Memorial of the Russian Cabinet to its Ministers at Foreign Courts on the subject of the Affairs of Spain.

The Chevalier de Zea Bermudez has presented to the imperial cabinet the annexed note, relative to the events which have just taken place in the Peninsula, and of which we were already informed by the despatches that were forwarded to us by our agents at foreign courts.

M. de Zea, in this document, confines himself to informing us, that the constitution promulgated by the Cortes in the year 1812, has been accepted by the king, and expresses a desire to know how the emperor has viewed this change of the government. If the distance which separates us from Spain, and from the States which are best enabled to weigh maturely the nature of the dis-

asters with which she is menaced, be considered, it will be readily acknowledged that the position of the imperial ministry, with regard to the representative of the Spanish nation, was difficult and delicate.

The revolution of the peninsula fixes the attention of the two hemispheres; the interests which it is about to decide, are the interests of the universe; and if ever the emperor wished that the opinion of his allies might conduce to regulate his own, it certainly was at the moment when the note of the Chevalier de Zea imposed upon his imperial majesty the obligation of pronouncing upon an event which involves, perhaps, the future destinies of all civilised nations.—This obligation, however, existed; for, in these days, every subject of doubt becomes an instrument of malevolence.

The necessity of replying to M. de Zea was therefore evident; but, in this important conjuncture, it appeared natural, that previously to pronouncing an opinion, the emperor should consider the object which the allied powers proposed to themselves in their relations with Spain; that he should consult the views which they had expressed to that same power, and that he should take as a guide for his own, the principles of European policy. This is what his imperial majesty was bound to do; this is what he has done.

Since the year 1812, more than one diplomatic document attests the generous solicitude which the several courts of Europe have constantly manifested in behalf of Spain. They applauded the noble perseverance with which

her intrepid people resisted a foreign yoke. They rendered homage to their wisdom, when they rallied round a constitutional throne, the dearest interests of their country;—the interests of her independence. Finally, from the period when Providence restored Ferdinand VII. to his people, they never failed to acknowledge that solid institutions could alone secure on its basis the ancient Spanish monarchy.

The allied sovereigns did more. In the course of long conferences, relative to the differences with Rio de la Plata, and to the pacification of the colonies, they let it be sufficiently understood, that these institutions would cease to be a means of peace and happiness, if, instead of being granted by kindness, as a voluntary concession, they should be adopted by weakness as a last resource of salvation.

Let us investigate, on the other hand, the great transactions which established the European alliance.

What is the object of the engagements that were renewed on the 3rd-15th of November, 1818?

The allied monarchs had just then obliterated the last traces of the revolution in France; but that revolution seemed ready to produce new calamities.

The obligation of the monarchs was, therefore, and their design was, to prevent that, bursting from the same horizon, the same storm should a third time desolate Europe.

Nevertheless, as if the alarms which were then excited by the state of France, and which it still excites, were not sufficient—as if governments and nations entertained but slight doubts with

respect to its future condition, it was necessary that the genius of evil should select a new theatre, and that Spain, in her turn, should be offered up as a fearful sacrifice. Revolution has therefore changed its ground; but the duties of monarchs cannot have changed their nature, and the power of the insurrection is neither less formidable, nor less dangerous, than it would have been in France.

In unison, therefore, with his allies, his majesty cannot but desire to see granted to the Peninsula, as to its trans-marine provinces, a government which he considers as the only one that can yet justify some hope in this stage of calamities. But in virtue of his engagement of the 3rd-15th of November, 1818, his majesty is bound to mark, with the most forcible reprobation, the revolutionary measures set in action to give new institutions to Spain. Such is the twofold idea which is found developed in the annexed answer, which the cabinet of Russia has made to the Chevalier de Zea, by order of his imperial majesty.* The emperor does not doubt that his august allies will approve its contents, and perhaps they have already addressed similar sentiments to the court of Madrid. The same wishes, may, in fact, have inspired the same language, and convinced them, like his majesty, that crime must always yield pernicious fruit: they have, doubtless, deplored as he has, the outrage which has recently tarnished the annals of Spain. We repeat it,

* This refers to the "Note of the Imperial Russian Ministry to the resident Spanish Minister."

this outrage is deplorable. It is deplorable for the Peninsula; it is deplorable for Europe; and the Spanish nation now owes the example of an expiatory deed to the people of the two hemispheres. Till this be done, the unhappy object of their disquietude can only make them fear the contagion of her calamities. Nevertheless, amidst all these elements of disaster, and when so many motives combine to afflict the real friends of the welfare of nations, may a better future still be looked for? Is there any wise and redeeming measure, whose effect may be, to reconcile Spain with herself, as well as with the other powers of Europe?

We dare not affirm it: for experience has taught us to consider almost always as an illusion, the hope of a happy event. But, if we might trust the calculations which personal interests would seem bound to indicate; if it were permitted to presume that the Cortes would consult the interest of their own preservation, it might be believed that they would hasten to extirpate, by a solemn measure, all that is culpable in the circumstances which accompanied the change of the administration in Spain. The interests of the Cortes are here identified with the interests of Europe. The misled soldiery who protected, may to-morrow assail them; and their first duty towards their monarch, towards their country, and themselves, seems to be, to prove that they will never consent to legalise insurrection. These are hopes which would not appear to be without some foundation. The emperor, however, is far from cherishing them; and if he ad-

mitted the possibility of a result so useful, he would make it depend upon the unanimity which might manifest itself in the opinion of the principal powers of Europe, as to the act by which the representatives of the Spanish people ought to signalise the opening of their deliberations. This unanimity, always so powerful when it takes the character of an irrevocable deed, will perhaps carry conviction to the minds of the most eminent ministers of his Catholic majesty; and the allied courts would seem to have an easy means of impressing upon their language such an imposing uniformity.

Their ministers in France have hitherto treated, in their name, with a plenipotentiary of the court of Madrid. Can they not now present to him, in common, observations, the summary of which follows, and which would recall to the Spanish government the conduct, as well as the political principles, of the allied monarchs?

“The monarchs,” would the five ministers say, “have never ceased to entertain wishes for the prosperity of Spain. They will always entertain them. They have desired that in Europe, as in America, institutions conformable to the progress of civilisation, and to the wants of the age, might procure to all Spaniards long years of peace and happiness. They desire the same at this moment. They have wished that all these institutions should become a real blessing, by the legal manner in which they should be introduced. They now wish the same.

“This last consideration will convey to the ministers of his Catholic majesty, with what sen-

timents of affliction and grief they have learned the events of the 8th of March, and those which preceded it. According to their opinion, the salvation of Spain, as well as the welfare of Europe, will require that this crime should be disavowed, this stain effaced, this bad example exterminated. The honor of such a reparation appears to depend upon the Cortes. Let them deplore, and forcibly reprobate, the means employed to establish a new mode of government in their country, and, in consolidating an administration wisely constitutional, let them adopt the most vigorous laws against sedition and revolt.

“Then, and only then, the allied cabinets will be able to maintain friendly and amicable relations with Spain.”

These observations, urged in common by the representatives of the five courts, would, from thenceforth, demonstrate to the Spanish ministry the conduct which the allied governments would observe, in case the consequences of the 8th of March should perpetuate, in Spain, trouble and anarchy. If these salutary counsels be listened to; if the Cortes offer to their king, in the name of the nation, a pledge of obedience; if they succeed in establishing, upon durable bases, the tranquillity of Spain, and the peace of Southern America, the revolution will have been defeated, at the very moment when it thought to obtain a triumph.

If, on the contrary, alarms, perhaps too reasonable, be realised, at least the five courts will have discharged a sacred duty; at least a new occurrence will have developed the principles,

indicated the object, and displayed the scope of the European alliance.

The emperor awaits the answer of the courts of Vienna, London, Berlin, and Paris, to the communications which his Ministers have addressed to him on this subject. He informs them that the present memorial is the instruction which he has caused to be despatched to all his ministers on the subject of the affairs of Spain.

NAPLES AND AUSTRIA.

[Official Paper.]

The Secretary of State, Minister of Foreign Affairs of the King of the Two Sicilies, to his Highness Prince Metternich, Minister of State and of Foreign Affairs to the Emperor of Austria.

Naples, Oct. 1.

His majesty the king of the kingdom of the Two Sicilies, after having renewed in the face of the national parliament his solemn oath to observe the new compact which has united in one the interests of his august dynasty and of his people, deems it his first and most important duty to adopt the proper measures which may contribute to consolidate his work, and to guard it from the attacks which false political combinations or ill-founded prejudices might excite against it.

On this account his majesty has ordered the undersigned secretary of state for foreign affairs to make without delay to his highness prince Metternich, minister of state, of conferences, and of foreign affairs, to the emperor of Austria, king of Hun-

gary and Bohemia, the following communication:—

From the moment that the king determined to second the unanimous wishes of his people, in adopting for his states the constitution of Spain, one of his first cares was to make known to the cabinet of Vienna—the only cabinet with which he had engagements—the circumstances which had given occasion to this event; and to assure it, at the same time, that it could not introduce any change in the relations of amity and good understanding which happily subsisted between the two courts.

Prince Cariati was intrusted with this honourable mission; but all his efforts to execute it were unsuccessful, the Austrian ministry having declined, under different pretexts, all explanation on the affairs of Naples. A fatal prejudice had taken possession of its councils, and it declared against our political reform before even it could form a just opinion of it, and almost on the first rumour of it which reached Vienna.

Anxious to enlighten the imperial court of Vienna on the true state of our affairs, the king hastened to write himself to his majesty the emperor, his august nephew and son-in-law. Duke Nicolas of Serra Capriola was commissioned to present the royal letter to his imperial majesty, and to announce to the Austrian ministry the destination of the duke of Gallo to the embassy at Vienna, in room of prince Ruffo, who, by an inexcusable disobedience to the orders of his government, had forfeited the confidence of his sovereign and of the nation. Un-

happily the mission of the duke of Serra Capriola had no better success than that of prince Cariati. He did not obtain permission to see his imperial majesty; he was told that the emperor did not think himself bound to reply to the king's letter, which he had received on the supposition that its contents were of a nature purely confidential. Orders were at the same time dispatched by the Austrian ministry to the frontiers of the empire, commanding the duke of Gallo to discontinue his journey to Vienna.

This ambassador, who was provided with a credential letter from the king, and with other confidential letters of his majesty to the emperor, was in fact obliged to stop at Klagenfurth; and having addressed remonstrances to the Austrian ministry against a treatment as unhandsome as it was irregular, prince Metternich answered him by a note, dated the 2nd of September last, that in consequence of a revolution which saps the foundations of the social edifice, and threatens at once the safety of the thrones, of acknowledged institutions, and the tranquillity of nations, his imperial majesty would be acting in contradiction of the principles which he had invariably made the rule of his conduct, if he accepted the mission with which the duke of Gallo was intrusted.

We must confess that the more we reflect on these phrases, the less can we comprehend their meaning, especially when we weigh attentively and candidly the events that have taken place in Naples. Because the king, free in his palace, in the midst of his council, composed of his an-

cient ministers, formed the resolution of satisfying the unanimous wish of his people, by granting them a system more adapted to their necessities, more conformable to the knowledge of the age, and which he would have granted them earlier, had not their desires been concealed from him, the cabinet of Vienna imagines that the social edifice is sapped to its foundation! When the legitimacy of the rights of the reigning family has been loudly proclaimed, guaranteed, and confirmed by the general wish of the nation—when this nation has shown, from the first moment of its political change, the most profound veneration and the most absolute devotion to the king and royal family, it is pretended that the security of thrones is menaced! When it is universally known that we have carried, even to scrupulosity, the respect for the rights, independence, and institutions of other nations, having refused to intermeddle in any manner whatever with the affairs of Benevento and Ponte Corvo, though those states are hemmed in (*enclaves*) by the kingdom, and the inhabitants addressed to the king the most urgent request to be reunited to the monarchy of the Two Sicilies—and when, in literally executing a burthensome stipulation which extraordinary circumstances had imposed upon us, we pay with the greatest exactness, to prince Beauharnois, the five millions of francs which the government had engaged to supply to him—it is maintained that acknowledged institutions and the repose of nations are endangered!

Fortunately the facts just stated are too notorious to be

doubted, and the cabinet of Vienna has not even for a long time been able to dissemble their acknowledgment. Therefore, in the confidential explanations which his highness prince Metternich has had with the prince de Cimitile, he attacked us with other arms. According to the opinion of his highness, the *Carbonari* were the sole instigators of the events that have happened at Naples; they forced the king's inclination and the majority of the nation, excited the army to rebellion, and proclaimed a defective constitution, which offers no guarantee of stability.

Such are, in short, the new grievances which the Austrian minister urges to the prince de Cimitile against our political reform. Let us examine them with calmness and without bitterness.

Whenever a sect or any faction obtains any concession by force, it is in the nature of things that sooner or later an opposition is formed and augmented, and at times acquires even the ascendancy of the triumphant party. In our country, on the contrary, far from perceiving the smallest trace of dissension, nothing is seen but a perfect unison of sentiment, principles, and desires. Unbounded devotion to the king, and his august dynasty—inviolable attachment to the constitutional system—a resolution to defend it to the last extremity: such is the profession of faith of all the inhabitants of the Two Sicilies. We do not except the inhabitants of Palermo, whose difference of opinion arises from other points of less general interest; with the exception of what has taken place in that quarter, no violence, nor the slightest re-

action has disturbed the tranquillity of the kingdom. The orders of government are respected; justice is impartially administered; the taxes are paid; the discipline of the army is maintained; individual liberty, that of opinions, is full and entire; and if an exaggerated zeal for the public good at first caused a few aberrations, they soon disappeared at the firm and paternal voice of government. The elections for deputies to parliament, that infallible thermometer of public opinion, would alone suffice to prove that the nation is animated with one single sentiment—that of its own welfare. Men, distinguished for their virtues, services, and talents, have been chosen, from one end of the kingdom to the other, to represent the nation. No disparity of opinion was displayed in these selections. The best citizens obtained the preference. Is there still wanting an incontestable argument that it was not a sect which operated our political reform? Those who were the foremost to cry out for a new system—those, in short, whom report had proclaimed as the promoters of our political change—were not elected. Can it be believed that if a sect had brought about this change, as it is insinuated, that sect would not have insisted that its chiefs should figure among the representatives of the nation? A still stronger argument against the opinion endeavoured to be inculcated on Europe, that the government is here at the mercy of a faction, we will bring forward from the great example of moderation and long amity which we have given to civilised nations, by permitting the Austrian legation

and consulship to exercise freely their functions in this country, whilst at the same time our ambassador was obliged to stop at Klagenfurth, and our consul was dismissed from Milan without the slightest ceremony, and on the interference of the police. Had the government been less strong in itself—had it been ruled by a faction whose passions are always impetuous—would it have been able to restrain the effects of the national pride, justly irritated at such a treatment?

As to the defects imputed by the Austrian minister to the Spanish constitution, we will in the first place observe, that no foreign power has the right to call either good or bad that system which an independent sovereign has thought proper to adopt for his own states. But if one wishes to judge of the stability of governments by the institutions which direct them, it is certainly no longer a problem in this age, whether this stability can be more easily obtained by an arbitrary or constitutional system. The charter of Spain may have its defects, undoubtedly, but its principles bear the stamp of reason and of all the virtues. The nation, moreover, has too great an interest to perfect its institutions, not to apply its attention to the modifications which it may suppose convenient to adapt to its wants the new system by which it is governed, inasmuch as the act of the king's proclamation left to the national parliament the right of proposing any such modifications. The cabinet of Vienna may rest therefore secure on this point; for we have it greatly at heart to give to our system all the stability

susceptible in the undertakings of men, convinced that the first merit of a constitutional government is that of fortifying the state against the commotions occasioned through despotism or licentiousness; and the wisdom of men commendable for their qualities, whom the nation has chosen as their representatives, seconded, moreover, by the rectitude and paternal sentiments of the king, is a sure guarantee of the fulfilment of what we have here advanced.

Having plainly demonstrated how perfectly unfounded and unjust are the wrongs imputed to us, we will enter into the discussion of the last argument which the Austrian minister might oppose, although until now it has not been brought forward.

There exists in the treaty signed at Vienna on the 12th of June, 1815, between the courts of the Two Sicilies and Austria, a separate article in these terms:

“The engagements entered upon in this treaty by their majesties, to secure the internal peace of Italy, imposing on them an obligation to preserve their states and respective subjects from fresh re-actions, and from the danger of imprudent innovations, which might be the forerunners of them, it is understood by the high-contracting powers, that his majesty the king of the Two Sicilies, in re-establishing the government of the kingdom, will not admit any changes irreconcilable either with ancient monarchical institutions, or with the principles adopted by his imperial and apostolic majesty, for the interior government of his Italian provinces.”

The vague and ambiguous

phrases of this article require an explanation. It is well known that in diplomacy the literal sense of treaties is the only one that is relied on. The king, having conformed to the understanding of the said article at the time of the restoration of the government of Naples, has fulfilled his promise. And it is worth remarking here, that the question rested on a mere understanding, and not on a condition or any obligatory engagement for an indefinite time.

Upon what foundation, therefore, can Austria impute it as wrong to the king, his having yielded to the unanimous wish of his people, who demanded the Spanish constitution? However, admitting it even as an hypothesis, that the above-cited article was obligatory for ever, it must be proved, in order to reclaim against its infraction, that the change operated in the form of our government is in opposition with monarchical institutions. We might, on the contrary, maintain that institutions consolidate thrones, since they render the persons of sovereigns inviolable, and guarantee the legitimacy of their rights; but the question does not here turn on the discussion of theories. The point to be proved is—and we think we have sufficiently proved it—that Austria cannot reasonably take advantage of a stipulation which related to different epochs and different circumstances, in order to justify an opposition to our political reform.

To what, then, can we attribute the attitude that Austria has taken, and still daily assumes against us? What can be the motive for the augmentation, excessive as well as precipitate, of the

Austrian troops in Italy? As long as the king imagined that, in taking this step, the cabinet of Vienna had in view only the maintenance of the good order and the interior tranquillity of his Italian states, his majesty respected the right which every power has of doing in its own country, whatever may appear advisable. But when the court of Vienna obstinately refuses to enter into any explanation with that of the two Sicilies, and to receive the representatives and agents of the king—when the emperor refuses to reply to the confidential letters of his majesty—when the Austrian cabinet circulates notes among the allied powers, the Germanic confederation, and Italian governments, against the new order of things established in Naples—when, in short, the newspapers of Vienna and Milan officially promulgate sentiments hostile to us, which a self-respecting government should never authorize, the king would be wanting to the sentiment of his own dignity—to what he owes to the brave and generous nation whose destinies have been confided to him by Providence—if he showed himself indifferent to so inconceivable a conduct on the part of a friendly and allied government.

In consequence, his majesty has ordered the undersigned to address himself to his highness prince Metternich, to require a positive and categorical explanation respecting the intention of these extraordinary armaments, and respecting the attitude that Austria has assumed towards the Neapolitan government; an attitude as contrary to the bonds and sentiments of friendship existing between the two courts, as it is at

variance with the principles of fraternity and disinterestedness towards a nation which has closely admired her great virtues; for, certainly, if any circumstance could tarnish the splendor of those virtues, it would be the aggression which Austria might meditate against the kingdom of the Two Sicilies. Posterity would scarcely give credit to such an injustice—an outrage so hostile to the rights of nations, and the more odious, as the same power which would render itself guilty of such a crime never opposed the smallest state of Germany in framing constitutions to themselves, and took no step, at least no public one, towards Spain, whose example we followed.

To other motives, therefore, must be attributed the war that Austria would undertake against a pacific nation, solely occupied with its own welfare, and anxious to maintain the best understanding with every foreign power, and to cement the particular relations existing between the courts of Naples and Vienna.

The high opinion which his majesty the king has of the personalities of his majesty the emperor of Austria, is to him a guarantee of the justice and wisdom that will preside at his deliberations; and he believes that he is not mistaken in thinking, that at no distant period the Austrian government will shake off its prejudices against us, and that the bonds of friendship which formerly united the two states, will be again cemented for the reciprocal advantage of both nations. But if, unfortunately, this hope should not be realised, the king and the whole nation—being determined to defend, to the last extremity,

the independence of the kingdom and constitution, which is the *palladium* of our rights, and the firmest support of legitimate monarchy—are ready to bury themselves under the ruins of their country, sooner than to submit to a foreign yoke. The example of the heroic resistance of the Spaniards to the despotism of Napoleon would encourage us; and if the reports which the cabinet of Vienna receives from Naples are founded on truth, it will not suppose what we here advance to be exaggerated.

The undersigned, therefore, begs of his highness prince Metternich to lay this note before his imperial and Roman apostolic majesty, and to give it an early and precise answer, in order that we may know how to appreciate the intentions of the court of Vienna.

The secretary of state, minister for foreign affairs,
(Signed)

The Duke of CAMPO CHIARO.

BERLIN, *December* 19, 1820.

Our State Gazette contains the following article:—In No. 148 of Voss's Berlin Gazette various reports are related, which, as the editor affirms, were in circulation at Vienna, respecting the approaching events in Italy. The author of the article says that these reports contradict each other; yet he mentions, as coming from good authority, that the cabinets at Troppau had resolved to make another attempt to induce the party prevailing at Naples, if not to overturn the new order of things, at least to bring it, by means of various modifications, nearer to monarchical principles. The author adds, to a certainty, that on the 20th of

November couriers were dispatched to Naples with the final proposals of the sovereigns. An impenetrable veil still covers the deliberations of the congress at Troppau, and it would be presumption to say any thing respecting them. So much, however, we are authorized to declare, that no idea was ever entertained for a moment, at Troppau, of negotiating with the party prevailing at Naples, or to make proposals to it to change the new order of things. This would be, in other terms, recognising the legality of an insurrection, the instigators to which were a secret political sect, and whose instrument was the army. There cannot be a thought of bringing a constitution, which is the product of unlawful power, more or less near to the monarchical principles. The monarchical principle rejects every institution which is not determined upon, and accomplished by the monarch himself, of his own free will. It is for the king of Naples, when he shall be in a state of liberty, to introduce into his kingdom another constitution, that is, so far as he shall be convinced that such a one is adapted to the wants and wishes of the people. It is therefore wholly unfounded, that on the 20th of November two couriers were dispatched to Naples with proposals to the present government: only this is true, that on the 24th the monarchs dispatched autograph letters to the king, the contents of which, however, are unknown. It is likewise entirely false that the conferences at Troppau were adjourned for three weeks. These conferences have not been for a moment interrupted.

Circular Note of the Courts of Austria, Russia, and Prussia, to the Ministers and Chargés d'Affaires at the German and Northern Courts.

Informed of the false and extravagant report respecting the object and the results of the conferences at Troppau, which malevolent persons have put in circulation, and the credulous have further disseminated, the allied courts consider it to be necessary to give authentic explanations to their ministers at foreign courts, to enable them to correct the mistakes and false opinions occasioned by these reports. The annexed short view furnishes you with the means. It is not designed for a foremost communication. You will consider with the ambassadors of the other courts the step to be taken on this occasion.

Short View of the first Results of the Conferences at Troppau.

Troppau, Dec. 8.

The events of the 8th March, in Spain; of 2nd July, in Naples; and the catastrophe of Portugal, could not but excite a deep feeling of uneasiness and sorrow in all those who are bound to provide for the security of states, and at the same time to inspire them with a desire to unite and jointly to take into consideration how to eradicate all the evils which threatened to break out over Europe. It was natural that these feelings should especially influence those powers who had lately conquered the revolution, and now see it raise its head anew; and it was equally natural those powers, in order to oppose it for the third time, should have

recourse to the same means of which they had made so successful a use in the memorable contest which freed Europe from a yoke it had borne for twenty years. Every thing encouraged the hope, that this union, founded in the most dangerous circumstances—crowned by the most splendid success—confirmed by the negotiations of 1814, 1815, and 1818—as it had prepared, founded, and completed the peace of the world—as it had delivered the European continent from the tyranny of the revolution, would also be able to check a no less tyrannical, no less detestable power, the power of rebellion and crime.

These were the motives, this the object of the conferences at Troppau. The former are so evident, that they want no farther explanation; the latter so salutary and honourable, that the wishes of all honest persons will doubtless attend the allied courts in their noble career.

The task which the most sacred obligations impose on them is great and difficult, but a happy presentiment lets them hope, that they shall attain their object in the unalterable maintenance of the spirit of those treaties, to which Europe owes peace and the union between its states.

The powers exercised an undisputed right, when they considered of joint measures of precautions against states, in which an overthrow of the government, effected by rebellion, even considered only as an example, must give occasion to a hostile attitude. Towards all legitimate constitutions and governments the exercise of this right became the more urgent, when those who

had come into this situation, endeavoured to communicate the misfortune which they had drawn on themselves, to the neighbouring countries, and to spread around them rebellion and confusion. In such an attitude, in such conduct, there is an evident breach of the compact which insures to all European governments, besides the inviolability of their territory, the enjoyment of those peaceful relations which exclude every reciprocal encroachment.

This incontrovertible fact was the point from which the allied courts departed. The ministers who could be furnished at Troppau itself with precise instructions from their sovereigns, agreed together, therefore, on the principles of conduct with respect to states, whose form of government had undergone a change by force, and the amicable or compulsory measures which, in cases where a substantial and wholesome influence was to be expected, might bring back such states within the pale of the union. They communicated their deliberations to the courts of London and Paris, that these courts might take them into their own consideration.

As the revolution at Naples daily takes more root, as no other so nearly and so evidently endangers the tranquillity of the neighbouring states, and as no other can be so immediately and speedily opposed, a conviction arose of the necessity of proceeding towards the kingdom of the Two Sicilies, according to the principles above stated.

In order to lead to conciliating measures for this purpose, the monarchs assembled at Troppau

resolved to invite the king of the Two Sicilies to an interview at Laybach; a step, the sole object of which was to free the will of the king from all external constraint, and to place his majesty in the situation of a mediator between his misled people and the states whose tranquillity was threatened. As the monarchs were resolved not to recognise governments which had been produced by open rebellion, they could not enter into negotiations except with the king alone. Their ministers and agents at Naples have received the necessary instructions to this effect.

France and England have been invited to participate in this step, and it is to be expected that they will not refuse their concurrence, as the principles on which the invitation is founded are perfectly conformable to the treaties they have formerly signed, and, besides, offer a pledge of the most just and peaceable sentiments.

The system adopted between Austria, Russia, and Prussia, is not a new one; it reposes on the same maxims which were the basis of the treaties by which the Union of the European states was founded. The intimate harmony between the courts which are in the center of this union, can only gain by it in strength and duration. The Union will consolidate itself in the same manner as it was formed by the monarchs who founded it, and has been gradually adopted by all those who were convinced of its evident, now less than ever to be doubted, advantages. No further proof is necessary, that neither thoughts of conquest, nor the pretension to violate the independence of other governments

in their internal administration, nor the endeavour to impede voluntary and wise ameliorations, consonant with the true interest of nations, has had any share in the resolutions of the allied powers. They desire nothing but to maintain peace, to free Europe from the scourge of revolution, and to prevent, or to lessen, as far as in their power, the evil which arises from the violation of all principles of order and morality. On these conditions they think themselves entitled, as the reward of their cares and exertions, to the unanimous approbation of the world.

Circular Dispatch to his Majesty's Missions at Foreign Courts, laid before the House of Lords, in pursuance of an Address to his Majesty, Feb. 1821.

Foreign Office, Jan. 19, 1821.

Sir,—I should not have felt it necessary to have made any communication to you, in the present state of the discussions begun at Troppau and transferred to Laybach, had it not been for a circular communication which has been addressed by the courts of Austria, Prussia, and Russia, to their several missions, and which his majesty's government conceive, if not adverted to, might (however unintentionally) convey, upon the subject therein alluded to, very erroneous impressions of the past, as well as of the present, sentiments of the British government.

It has become therefore necessary to inform you, that the king has felt himself obliged to decline becoming a party to the measure in question.

These measures embrace two
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distinct objects—1st, The establishment of certain general principles for the regulation of the future political conduct of the allies in the cases therein described. 2ndly, the proposed mode of dealing, under these principles, with the existing affairs of Naples.

The system of measures proposed under the former head, if to be reciprocally acted upon, would be in direct repugnance to the fundamental laws of this country. But even if this decisive objection did not exist, the British government would nevertheless regard the principles on which these measures rest, to be such as could not be safely admitted as a system of international law. They are of opinion that their adoption would inevitably sanction, and, in the hands of less beneficent monarchs, might hereafter lead to a much more frequent and extensive interference in the internal transactions of states, than they are persuaded is intended by the august parties from whom they proceed, or can be reconciled either with the general interest, or with the efficient authority and dignity of independent sovereigns. They do not regard the alliance as entitled, under existing treaties, to assume, in their character as allies, any such general powers, nor do they conceive that such extraordinary powers could be assumed, in virtue of any fresh diplomatic transaction among the allied courts, without their either attributing to themselves a supremacy incompatible with the rights of other states, or, if to be acquired through the special accession of such states, without

introducing a federative system in Europe, not only unwieldy and ineffectual to its object, but leading to many most serious inconveniences.

With respect to the particular case of Naples, the British government, at the very earliest moment, did not hesitate to express their strong disapprobation of the mode and circumstances under which that revolution was understood to have been effected; but they, at the same time, expressly declared to the several allied courts that they should not consider themselves as either called upon, or justified to advise an interference on the part of this country: they fully admitted, however, that other European states, and especially Austria and the Italian powers, might feel themselves differently circumstanced; and they professed that it was not their purpose to prejudge the question as it might affect them, or to interfere with the course which such states might think fit to adopt, with a view to their own security, provided only that they were ready to give every reasonable assurance that their views were not directed to purposes of aggrandisement, subversive of the territorial system of Europe, as established by the late treaties.

Upon these principles the conduct of his majesty's government, with regard to the Neapolitan question, has been, from the first moment, uniformly regulated; and copies of the successive instructions sent to the British authorities at Naples for their guidance have been from time to time transmitted for the information of the allied governments.

With regard to the expectation which is expressed in the circular above alluded to, of the assent of the courts of London and Paris to the more general measures proposed for their adoption, founded, as is alleged, upon existing treaties: in justification of its own consistency and good faith, the British government, in withholding such assent, must protest against any such interpretation being put upon the treaties in question, as is therein assumed.

They have never understood these treaties to impose any such obligations; and they have, on various occasions, both in parliament and in their intercourse with the allied governments, distinctly maintained the negative of such a proposition. That they have acted with all possible explicitness upon this subject, would at once appear from reference to the deliberations at Paris, in 1815; previous to the conclusion of the treaty of alliance, at Aix-la-Chapelle, in 1818, and subsequently in certain discussions which took place in the course of the last year.

After having removed the misconception to which the passage of the circular in question, if passed over in silence, might give countenance; and having stated, in general terms, without however entering into the argument, the dissent of his majesty's government from the general principle upon which the circular in question is founded, it should be clearly understood, that no government can be more prepared than the British government is to uphold the right of any state or states to interfere where their own immediate secu-

rity or essential interests are seriously endangered by the internal transactions of another state. But as they regard the assumption of such right as only to be justified by the strongest necessity, and to be limited and regulated thereby, they cannot admit that this right can receive a general and indiscriminate application to all revolutionary movements, without reference to their immediate bearing upon some particular state or states, or be made prospectively the basis of an alliance. They regard its exercise as an exception to general principles of the greatest value and importance, and as one that only properly grows out of the circumstances of the special case; but they at the same time consider, that exceptions of this description never can, without the utmost danger, be so far reduced to rule as to be incorporated into the ordinary diplomacy of states, or into the institutes of the law of nations.

As it appears that certain of the ministers of the three courts have already communicated this circular dispatch to the courts to which they are accredited, I leave it to your discretion to make a corresponding communication on the part of your government, regulating your language in conformity to the principles laid down in the present dispatch. You will take care, however, in making such communication, to do justice, in the name of your government, to the purity of intention, which has no doubt actuated these august courts in the adoption of the course of measures which they are pursuing. The difference of sentiment which prevails

between them and the court of London on this matter, you may declare, can make no alteration whatever in the cordiality and harmony of the alliance on any other subject, or abate their common zeal in giving the most complete effect to all their existing engagements. I am, &c.

(Signed)

CASTLEREAGH.

THE AUSTRIAN DECLARATION.

After a long series of political storms, the kingdom of Naples was, in the year 1815, restored, by the assistance of the Austrian arms, to the paternal government of its legitimate king; the two portions of the Sicilian monarchy which had been so long separated, were again united, and the wishes of all well-disposed persons were gratified by the happy prospect of durable repose. The later period of the foreign government had, however, revived an internal enemy, more dangerous than any other to the repose of the Italian peninsula. There existed in the kingdom of Naples, as well as in other states of Italy, a sect, working in darkness, whose secret chiefs continued to meditate the overthrow of all the Italian governments, as the first step towards the execution of the extravagant plans in which they were engaged.

At the moment when Murat, in order to support his tottering throne, conceived the desperate project of conquering Italy, despair inspired him with the idea of calling to his aid those same Carbonari whom he had more than once combated, and whose criminal intrigues acquired from that time an influence, which,

without the assistance of this unlooked-for alliance, they would perhaps never have obtained.

The vigilance of the royal government, the zeal with which it employed itself in promoting essential improvements in all the branches of the administration, the general affection borne to the sovereign, whose paternal goodness had gained to him the hearts of his subjects, rendered abortive all the enterprises of this sect during the first years which followed the restoration; and perhaps, like so many other secret associations, it would have insensibly become powerless and have fallen into oblivion, if the events which took place in the kingdom of Spain, at the commencement of the year 1820, had not given to it a fresh impulse. From this moment its audacity redoubled, and, assisted by the contagious fanaticism which it excited, it soon increased so much in numbers and influence, that the laws and the authority of the executive were no longer sufficiently powerful to suppress it. It disseminated with indefatigable industry, amidst all classes of the people, till then tranquil and moderate in their desires, a spirit of discontent and bitterness, dispositions hostile to their government, and a passionate desire for political innovation. It succeeded at length in corrupting a portion of the army; and, assisted by this most criminal of all its measures, this sect caused the revolution to break out in the first days of the month of July.

It is impossible to give a more exact or authentic account of this explosion, than that which is contained in the Circular Dispatch addressed by the new mi-

nister for foreign affairs, on the day on which he entered upon his functions, to the diplomatic agents of Naples at foreign courts:

“On the nights of the 1st and 2nd (it is stated in this dispatch) the greatest part of the royal regiment of cavalry of Bourbon quitted its quarters at Nola, and raised a tri-colored standard, with the inscription—‘Long live the Constitution!’ The colors were those of the sect of the Carbonari, which for some time past had kept up a fermentation in the kingdom, and had demanded with earnestness a constitutional form of government. This sect had made so many proselytes in the army of the king, that the troops sent to reduce to submission those who had deserted at Nola, made common cause with them. The desertion of these troops, and of some regiments of the garrison of Naples, some simultaneous movements in the provinces, and lastly, the insubordination of some chiefs of districts, proved to his majesty that ‘the wish of the people’ was to obtain a constitutional government. In consequence whereof the king published a proclamation, announcing, that in eight days he would make public the basis of a constitution.”

This first advantage was only the prelude of a more decisive attack. On the next day the chiefs of the revolt forced the king to proclaim the Spanish constitution; and without any other preparatory measure, they caused his majesty, his ministers and functionaries, and his troops, to take a solemn oath to that constitution, which, in the midst of disorders and terror, they de-

clared to be the fundamental law of the kingdom.

In signing his first promise, the king had made a great sacrifice to the agitation which prevailed; and although his majesty could not but be aware how inconsiderate and inexcusable was the project of forming a constitution in eight days, there remained to him at least the hope, that more calm and wiser resolutions would succeed to the effervescence of the moment. But every appearance changed, when, after this first concession, a constitutional act was offered for the immediate acceptance of the king, drawn up eight years before in a foreign country, under auspices particularly difficult and disastrous. An act of which neither the king nor his ministers, nor any Neapolitan, with the exception of a few conspirators, had any knowledge, except by extracts from newspapers, and of which, at the moment of its proclamation, there did not exist even a translation at Naples.

This step bore too clearly the marks of its origin, and of the criminal means which could alone insure its success, for the least doubt to remain as to the position of the monarch or of the state. Such a concession, committing equally the dignity of the sovereign, and the destinies of the country, could not be wrung from his majesty by other means than those of violence and menace. The desire of avoiding greater evils, and of preventing the commission of dreadful crimes, could alone induce the king to consent at the moment to so fatal a measure. This explanation of an event, inexplicable in any other sense, would carry with it its own

confirmation, even were it not otherwise established by irrefragable proofs.

The great blow being thus given, and the royal authority entirely destroyed, the chiefs of the sect of their principal associates in the first scenes of the revolt, immediately took upon themselves exclusive dominion. The resistance which the kingdom of Sicily opposed to their arbitrary enterprises, was crushed in blood and in ruins. In order to give to their usurpation a color of legality, they soon created, under the title of a national parliament, an instrument by means of which, in the space of a few months, they overturned all existing rights, and all the bases of public order; and through which, without any other power but their arbitrary will, they substituted, in the room of the ancient civil and political laws of the two kingdoms, institutions perfectly unknown, sanctioned by no experience, and which were no less in contradiction to the character than to the wants of the nation.

The king, unable to consider a state of things so unnatural as likely to be of long duration, persuaded at the same time that untimely opposition would only draw down new perils upon his person, his family, and his country, supported with resignation this cruel lot, which he had in no wise merited. All the enlightened inhabitants of the country, the greatest part too of those who, seduced by the vain hope of a more fortunate termination, had at first favoured the revolution, but who had subsequently become convinced of the pernicious effects of a system, which the ruling party had established as

most suited to their particular interests alone, without reference to the interests of the country—all these were condemned to silence. The mass of the people soon recovered from their ephemeral enthusiasm, and grieved to see their hopes deceived; and, discouraged by vague forebodings of the calamities which menaced them, they awaited in silent uneasiness the final issue of the crisis. Thus is to be explained that apparent tranquillity under cover of which the parliament, powerless in itself, and subject to the control of a small number of despots ready to attempt every thing, conducted the kingdom towards inevitable dissolution; a tranquillity which did not prevent the most unbridled anarchy from swallowing up the last remains of public prosperity, and the true character of which could not be misunderstood by any foreign government.

The events of Naples had produced a strong sensation throughout the whole of Italy. A revolution plotted by obscure fanatics, and completed by perjured soldiers, who in a few days deprived a king of his power and of his liberty, and plunged two kingdoms in the abyss of disorder, necessarily inspired, whatever its ulterior developement might be, the most serious apprehensions in all the neighbouring governments. The maxims loudly proclaimed by the authors of this revolution; the facility with which these maxims were circulated, by words and by writings, in all parts of Italy; the daily conversation of their foreign accomplices; all these things tended to augment the pressure of these apprehensions. No Italian so-

vereign could conceal from himself that the internal peace and prosperity of his states were menaced equally by the example and the results of an overthrow which attacked the social edifice in its deepest foundations.

The emperor was aware, from the first moment, that there would be an end of order and tranquillity in Italy for a length of time, if the chiefs and fomenters of a revolt, which nothing could justify and nothing could excuse, were permitted with impunity to sacrifice the monarchy of the Two Sicilies to their insane projects. His Imperial majesty, penetrated with a sense of what he owed to the preservation and security of his own empire, to the protection of his faithful and happy people, to his amicable relations with the princes of Italy, and to his position in the general political system of Europe, hastened to take measures for stopping the further progress of the disorders, and to make manifest at the same time, without reserve, the line which he had decided to follow with respect to the revolution of Naples. However painful it was to his imperial majesty to impose an unexpected and considerable charge upon his finances, at a moment when he had hoped to have been enabled to turn his whole attention to interior amelioration, and when the continued execution of the plans formed by the administration promised the most beneficial results—all secondary considerations gave way to the execution of the most sacred of his duties.

In the situation in which affairs were, the assembly of a "*corps d'armée*" in the Italian provinces was a measure of the highest ne-

cessity; it was acknowledged as such by every well-thinking man in Austria and in Europe. The salutary effect which this measure has had in tranquillizing the neighbouring states—that which it has produced even at Naples, in encouraging the friends and disconcerting the enemies of order, is now unanimously felt in the whole extent of the Italian peninsula.

His majesty at the same moment repaired to Troppau, to deliberate in person with his august allies, upon a question of the greatest importance, not only in Italy—not to the Austrian monarchy alone, but to the common safety of Europe. These deliberations did not happily leave any doubt as to the manner in which the allied courts regarded the origin and character of the revolution of Naples, and the dangers with which it menaced other states.

With respect to the resolutions which such a state of things called for, if particular and weighty considerations induce the British government not to take part in those of the other courts, and caused the cabinet of France to accede to them only under certain restrictions, the emperor had the satisfaction to find himself perfectly in unison on every question with the sovereigns of Russia and of Prussia; and to convince himself at the same time that differences of position and action between the powers of Europe would not give rise to any difference as to the basis of their alliance, and as to the general uniformity of principles and views.

The sovereigns assembled at Troppau, though decided not to

acknowledge the changes which force and revolt had operated at Naples, and to put an end by a common effort to the result of these changes, were nevertheless sincerely animated with the ardent desire of obtaining these objects by pacific means, and with all the indulgence due to a country already distracted by so many convulsions and calamities. It was in this spirit that they invited his Sicilian majesty to meet them at Laybach, in order to deliberate with them upon the situation, present and future, of his kingdom. This invitation was supported by his majesty the king of France.

According to an article of the foreign code, which was to become that of the kingdom of the Two Sicilies, the monarch cannot pass the frontiers of his states without the consent of the parliament. The king, looking upon the invitation of the sovereigns as a blessing of Providence, submitted to this humiliating necessity. The parliament consented, but it attached to its consent a condition, to the effect of which the instigators of this measure could not be blind, and which destroyed beforehand the prospects and the hopes of moderate men.

The parliament, although completely acquainted with the principles of the allied cabinets, imposed upon the king the command, to insist upon the maintenance without modification, of the constitution at present established at Naples—and to put that condition forward as the sole object, and only basis, of his explanations with the allied powers. It is under such auspices as these, and having nothing to rely on but the justice and the wisdom

of his august friends, that the king of Naples came to Laybach. From the moment of his arrival in that place, his majesty had reason to feel convinced that it would be vain to attempt to found any proposition upon a basis irrevocably rejected by the allied sovereigns.

The sovereigns declared in effect to his majesty, their firm determination not to allow the continuance of a system which had been forced upon the kingdom of the Two Sicilies, by a faction without a name and without authority, and by means the most criminal; a system incompatible with the security of the neighbouring states, and with the preservation of the peace of Europe.

That if this state of things did not end, as their majesties earnestly and sincerely hoped it might do, by a spontaneous disavowal on the part of those who exercised the power at Naples, it would be necessary to have recourse to arms; that as soon as by either of these means this great obstacle to the peace of Naples and of Italy should have disappeared, the sovereigns would look upon their task as accomplished. That it would be then for the king alone, enlightened by the counsels of the most honest and able men of his kingdom, to provide for the strength and stability of his government upon a just and wise system, in conformity with the permanent interests of the two people united under his sceptre, and which government, from this very circumstance, should hold out to all the neighbouring states a sufficient guarantee of their safety and tranquillity.

After such precise declarations the king of Naples could not dissemble to himself that as every other question was irrevocably set aside, he had, as the father and protector of his people, but one task to fulfil—that of preserving the loyal and well-meaning majority of his subjects from the dangers and calamities of a war brought on by the blind obstinacy or the culpable ambition of certain individuals.

In this conviction it was, that his majesty addressed to his son, the presumptive heir to his throne, a frank and paternal letter, for the purpose of representing to him the importance of the circumstances, and the necessity of employing, for the safety of the kingdom, all the means which might be at his command. The expression of these pacific sentiments of the king was accompanied by more explicit instructions, issued by the cabinets of Austria, Russia, and Prussia, to their diplomatic agents at Naples; and the plenipotentiaries of his majesty the king of France likewise sent instructions to the chargé d'affaires of their sovereign. The effect of these important measures must decide the impending fate of the kingdom of the Two Sicilies.

In this state of things, the army destined to carry into effect the decisions taken at Laybach, has received orders to cross the Po, and to march towards the Neapolitan frontiers. It is repugnant to the feelings of his imperial majesty to suppose that this army can meet with any serious resistance. None but the enemies of the public welfare, the incurable partisans of a system, leading at once to the ruin of the Sicilian

monarchy, can mistake what, under the circumstances in which that monarchy is now placed, is owing by every loyal soldier and every man attached to his country, to his sovereign, and to the safety of his fellow-citizens.

The great mass of the nation devoted to its monarch, disgusted with an imaginary liberty which has only produced the severest tyranny, and tired of a disturbed and precarious existence; conscious, likewise, for some time past, of the just and benevolent intentions by which the emperor is animated; will receive with confidence those who, in the name of his imperial majesty, and of his august allies, come to offer peace, friendship, and protection. If this just hope should not be realised, the army will know how to surmount the difficulties which may impede its progress; and if, contrary to all calculations, and contrary to the fondest hopes of the allied monarchs, an enterprise formed with the purest intention, and actuated by no hostile spirit, should degenerate into actual war, or if the resistance of an implacable faction should be protracted for an indefinite time, his majesty the emperor of all the Russias, always faithful to his principles, and convinced of the necessity of struggling against an evil so serious, and guided by that noble and constant friendship, of which he has lately bestowed so many precious tokens on the emperor, would lose no time in joining his forces to those of Austria.

In the whole of the transactions which have just taken place, the monarchs have only had in view the safety of the states they are called upon to govern, and the tranquillity of the world.

This is the secret of their policy; no other thought, no other interest, no other question, has found a place in the deliberations of their cabinets.

The inviolability of all established rights, the independence of all legitimate governments, the integrity of all their possessions, these are the bases from which their resolutions will never deviate.

The monarchs will have obtained the summit of their wishes, and will be fully rewarded for all their efforts, if it should be possible to insure on these foundations tranquillity in the interior of states, the rights of thrones, and the true liberty and prosperity of nations, blessings without which external peace itself could have neither value nor duration. They will bless the period, when, set free from all other causes of anxiety, they can devote exclusively to the happiness of their subjects all the means and the power which have been conferred upon them by heaven.—(*Frankfort Gazette, Feb. 19.*)

Correspondence between Sir W. A'Court, and the Neapolitan Minister Pignatelli.

The following are copies of the correspondence relative to the British naval force in the Bay of Naples:

(TRANSLATION.)

Naples, Feb. 10.—After the official communications made to his royal highness the prince regent by the envoys of Russia and Prussia, and the chargé d'Affaires of Austria, in the name of the powers assembled at Laybach, relative to the determination taken there with respect to the kingdom of the Two Sicilies,

this royal government can no longer remain in a state of uncertainty with regard to the object of the assemblage of the British naval force stationed for some months past in the Bay of Naples.

The undersigned, therefore, being in charge of the portefeuille of foreign affairs, in conformity with the orders he has received from his royal highness, addresses himself to his excellency the chevalier A'Court, envoy extraordinary and minister plenipotentiary of his Britannic majesty, beseeching his excellency to be so good as to make known to him precisely what instructions he has received on this point from his court, and flatters himself, that in consequence of this communication the government may be enabled to have a clear view of the manner in which the Neapolitan question, which has excited such interest all over Europe, is viewed by the British cabinet.

In this expectation, the undersigned renews to the chevalier the assurances of his highest consideration.

(Signed)

COMMENDATORE PIGNATELLI.

His excellency the
Chevalier A'Court, &c. &c. &c.

Naples, Feb. 11.—The undersigned has the honor to acknowledge to his excellency the duke of Gallo, minister for foreign affairs, the receipt of the note addressed to him by his excellency the commander Pignatelli, charged *ad interim* with the portfolio of foreign affairs, intimating the necessity of a further explanation of the motives which induce the British government to keep so large a naval force sta-

tioned in the Bay of Naples—an explanation rendered necessary by the communications made to his royal highness the prince regent, by the ministers of Austria, Russia, and Prussia, in the name of the powers assembled at Laybach. The undersigned acknowledges the justice of this appeal made to him, and has, therefore, no hesitation in giving a frank declaration of the intentions of his government.

The British squadron at anchor in the bay is simply a squadron of observation, the presence of which is sufficiently explained by the critical circumstances of the country, and the necessity of providing for the security of the persons and property of British subjects, under all possible chances.

The British government, faithful to the principles it has always professed, is determined to maintain a strict neutrality, and to take no part either directly or indirectly in the war which there seems to be but too much reason to apprehend is on the point of breaking out. It will interfere in no way with the affairs of the country, unless such interference should be rendered indispensable by any personal insult or danger to which the royal family may be exposed.

Not foreseeing the possibility of such a case, the undersigned flatters himself that nothing will alter the peaceful attitude in which Great Britain is placed.

The undersigned takes this opportunity of offering to his excellency the assurance of his highest consideration.

(Signed) W. A'COURT.

To his excellency
the Duke of Gallo.

GRAND DUCHY OF HESSE.

Edict respecting the Representative Constitution of the Grand Duchy.

Lewis, by the grace of God, grand duke of Hesse, &c. &c.

Art. 1. The states of our grand duchy shall form two chambers.

II. The first chamber is formed—

1. Of the princes of our grand ducal house.

2. Of the heads of the families who form the states, and who possess one or more lordships according to sect. 16 of the late edict respecting the relations of the members of the states.

3. Of the senior of the family baron Riedesal, who has hitherto possessed the honourable dignity of hereditary marshal of Hesse.

4. Of the Catholic bishop. In case of the vacancy of the see, we resolve to choose a distinguished Catholic clergyman to supply the place of the bishop of the diet.

5. Of a Protestant clergyman, whom we shall nominate to that appointment for life, with the dignity of a prelate.

6. Of the chancellor of the university of our states, or his substitute.

7. Of those distinguished citizens whom we shall call to this dignity for life. We shall not extend those nominations beyond ten in number.

III. The second chamber is formed—

1. Of six deputies chosen by the nobles possessing the sufficient qualification of real property in our grand duchy.

2. Of ten deputies of towns to which we, on account of the in-

terests of trade or of honourable recollections, hereby grant a particular right of election. These towns are, our capital of Darmstadt, our city of Mentz, each of which shall choose two deputies.

Our cities of Giesen, Offenbach, Friedberg, Alsfeldt, Worms, Bingen, each of which shall return one deputy.

3. Of 34 deputies who shall be chosen by electoral districts formed of towns and communes which have no other right of election. The conditions of the right of election and the manner of their execution, as well for the nobles, as for cities and electoral districts, shall be fixed by particular regulations.

IV. The members of our ministry, and those named by us commissioners to the diet, even when they have not to lay propositions before the chambers, shall have the right of entry, but not of voting.

V. Those who are members of the first chamber by birth, can only exercise their rights on attaining the 25th year of their age, and when no lawful impediment opposes the enjoyment of their political rights.

VI. The deputies to the second chamber must be citizens who have attained the 36th year of their age, and who possess an income sufficient to secure their independence.

VII. Provides that no member who has been brought before a court of justice shall appear at the diet, unless he have been fully acquitted.

By the remaining articles, 20 in number, the forms of assembling are determined.

PUBLIC PAPERS,

CONNECTED WITH THE GENERAL DOMESTIC POLICY OF GREAT
BRITAIN.—[*I. Class Official.*]

From the London Gazette, Saturday, Feb. 12.

At the court at Carlton-house, the 12th day of February, 1820: present, the king's most excellent majesty, archbishop of Canterbury, lord chancellor, lord president, lord privy seal, duke of Wellington, lord Steward, marquis of Winchester, earl Bathurst, earl of Liverpool, earl of Mulgrave, viscount Castlereagh, viscount Melville, viscount Sidmouth, lord Charles Bentinck, Mr. Wellesley Pole, Mr. Canning, Mr. Chancellor of the Exchequer, Mr. Bathurst, Mr. Robinson.

Whereas in the Act of Uniformity, which establishes the Liturgy of the church of England, provision is made for such alterations in the prayers for the royal family as from time to time shall become necessary, and be directed by lawful authority; his majesty was pleased this day, in council, to declare his royal will and pleasure, that in the prayer for the royal family, in the morning and evening service, the words "their royal highnesses George Prince of Wales, the Princess of Wales, and," be omitted.

That the same omission take place in that part of the Litany

or general supplication in which the same words recur.

That in the title to the Form of Prayer to be used on the day of his majesty's accession to the crown, the words "upon the 25th day of October" be struck out, and the words "upon the 29th day of January" be inserted.

That in the prayer found in this service for the king and royal family, the words "their royal highnesses George Prince of Wales, the Princess of Wales, and," be omitted.

And his majesty doth strictly charge and command, that no edition of the Common Prayer be from henceforth printed, but with this amendment; and that in the mean time, till copies of such edition may be had, all parsons, vicars, and curates, within this realm, do (for preventing of mistakes) with the pen, correct and amend all such prayers in their church books, according to the foregoing direction; and for the better notice hereof, that this order be forthwith printed and published, and sent to the several parishes; and that the right reverend the bishops do take care that obedience be paid to the same accordingly.

JAS. BULLER.

*His Majesty's Commissioners
Speech on closing the Session
(Monday, Feb. 28.)*

"My Lords and Gentlemen;

"We are commanded by his majesty to inform you, that it is a great disappointment to his majesty, that on this first and solemn occasion he is prevented by indisposition from meeting you in person.

"It would have been a consolation to his majesty to give utterance in this place to those feelings with which his majesty and the nation alike deplore the loss of a sovereign, the common father of all his people.

"The king commands us to inform you, that, in determining to call without delay the new parliament, his majesty has been influenced by the consideration of what is most expedient for public business, as well as most conducive to general convenience.

"Gentlemen of the House of Commons;

"We are directed by his majesty to thank you for the provision which you have made for the several branches of the public service from the commencement of the present year, and during the interval which must elapse before a new parliament can be assembled.

"My Lords and Gentlemen;

"We are commanded to inform you, that in taking leave of the present parliament, his majesty cannot refrain from conveying to you his warmest assurances of the sense which his majesty entertains of the important services which you have rendered the country.

"Deeply as his majesty la-

mented that designs and practices such as those which you have been recently called upon to repress should have existed in this free and happy country, he cannot sufficiently commend the prudence and firmness with which you directed your attention to the means of contracting them.

"If any doubt had remained as to the nature of those principles by which the peace and happiness of the nation were so seriously menaced, or of the excesses to which they were likely to lead, the flagrant and sanguinary conspiracy which has lately been detected must open the eyes of the most incredulous, and must vindicate to the whole world the justice and expediency of those measures to which you judged it necessary to resort, in defence of the laws and constitution of the kingdom."

Then a commission for proroguing the parliament was read; after which the Lord Chancellor said,

"My Lords and Gentlemen;

"By virtue of his majesty's commission under the Great Seal, to us and other lords directed, and now read, we do, in his majesty's name, and in obedience to his commands, prorogue this parliament to Monday, the 13th day of March next, to be then here holden; and this parliament is accordingly prorogued to Monday, the 13th day of March next."

*The King's Speech to the New
Parliament (Thursday, April
27).*

"My Lords and Gentlemen;

"I have taken the earliest occasion of assembling you here,

after having recurred to the sense of my people.

“ In meeting you personally, for the first time since the death of my beloved father, I am anxious to assure you, that I shall always continue to imitate his great example, in unceasing attention to the public interests, and in paternal solicitude for the welfare and happiness of all classes of my subjects.

“ I have received from foreign powers renewed assurances of their friendly disposition, and of their earnest desire to cultivate with me the relations of peace and amity.

“ Gentlemen of the House of Commons ;

“ The estimates for the present year will be laid before you.

“ They have been framed upon principles of strict economy ; but it is to me matter of the deepest regret that the state of the country has not allowed me to dispense with those additions to our military force which I announced at the commencement of the last session of parliament.

“ The first object to which your attention will be directed is the provision to be made for the support of the civil government, and of the honour and dignity of the crown.

“ I leave entirely at your disposal my interest in the hereditary revenues ; and I cannot deny myself the gratification of declaring, that so far from desiring any arrangement which might lead to the imposition of new burthens upon my people, or even might diminish, on my account, the amount of the reductions incident to my accession to the throne, I can have no wish, under circumstances like the present, that any

addition whatever should be made to the settlement adopted by parliament in the year 1816.

“ My Lords and Gentlemen ;

“ Deeply as I regret that the machinations and designs of the disaffected should have led in some parts of the country to acts of open violence and insurrection, I cannot but express my satisfaction at the promptitude with which those attempts have been suppressed by the vigilance and activity of the magistrates, and by the zealous co-operation of all those of my subjects, whose exertions have been called forth to support the authority of the laws.

“ The wisdom and firmness manifested by the late parliament, and the due execution of the laws, have greatly contributed to restore confidence throughout the kingdom, and to discountenance those principles of sedition and irreligion which had been disseminated with such malignant perseverance, and had poisoned the minds of the ignorant and unwary.

“ I rely upon the continued support of parliament in my determination to maintain, by all the means intrusted to my hands, the public safety and tranquillity.

“ Deploring, as we all must, the distress which still unhappily prevails among many of the labouring classes of the community, and anxiously looking forward to its removal or mitigation, it is in the mean time our common duty effectually to protect the loyal, the peaceable, and the industrious, against those practices of turbulence and intimidation, by which the period of relief can only be deferred, and by

which the pressure of the distress has been incalculably aggravated.

“ I trust, that an awakened sense of the dangers which they have incurred, and of the arts which have been employed to seduce them, will bring back by far the greater part of those who have been unhappily led astray, and will revive in them that spirit of loyalty, that due submission to the laws, and that attachment to the constitution, which subsist unabated in the hearts of the great body of the people, and which, under the blessing of Divine Providence, have secured to the British nation the enjoyment of a larger share of practical freedom, as well as of prosperity and happiness, than have fallen to the lot of any nation in the world.”

An Act for the Support of his Majesty's Household, and of the Honour and Dignity of the Crown of the United Kingdom of Great Britain and Ireland.
—[6th June 1820.]

Most Gracious Sovereign;

Whereas an act passed in the first year of the reign of his late majesty king George the 3rd, intituled [The clause here recites the titles of the Acts, 1 Geo. 3, c. 1; 22 Geo. 3, c. 82; 25 Geo. 3, c. 61; 27 Geo. 3, c. 13; 33 Geo. 3, c. 34; Irish Act; 54 Geo. 3, c. 157; 56 Geo. 3, c. 46; 59 Geo. 3, c. 22.] And whereas by the said recited act of the first year of the reign of his late majesty it was enacted, that the hereditary rates and duties, and other duties and payments, and the small branches of his majesty's revenues therein expressed, should be raised, levied, and collected, as theretofore, during the life of his said late

majesty, and should be carried to and made part of the aggregate fund; and that an annual rent or sum was by the said last-mentioned act charged upon and made payable out of the said aggregate fund, during the life of his said late majesty, for the support of his majesty's household, and the honour and dignity of the crown: and whereas by the said recited act of the twenty-seventh year of the reign of his late majesty, the said rates, duties, payments, and revenues, were carried to and made part of the consolidated fund during the life of his late majesty, and provision was made in the said last-mentioned act, for the payment of such of the said rates, duties, and payments, as formed part of the hereditary revenues of the crown after the demise of his late majesty, to his heirs and successors; and such hereditary rates, duties, and payments, now belong, and are due and payable to your most excellent majesty: and whereas your majesty has been graciously pleased to signify to your faithful Commons, in parliament assembled, that whenever their attention should be directed to the provision to be made for the support of the civil government, and of the honour and dignity of the crown, your majesty would leave entirely at their disposal your majesty's interest in the said hereditary revenues; and that your majesty could not deny yourself the gratification of declaring, that so far from desiring any arrangement which might lead to the imposition of new burthens upon your people, or even diminish on your majesty's account the amount of the reductions incident to your

majesty's accession to the throne, your majesty could have no wish, under circumstances like the present, that any addition whatever should be made to the settlement adopted by parliament in the year one thousand eight hundred and sixteen: your majesty's most dutiful and loyal subjects, the Commons of Great Britain and Ireland, in parliament assembled, with hearts full of the warmest duty and gratitude, are desirous that a certain and competent revenue, for defraying the expenses of your majesty's civil government, and supporting the honour and dignity of the crown of the united kingdom during your majesty's life (which God long preserve), may be settled upon your majesty as a testimony of our unfeigned affection to your sacred person, by whose happy succession to the throne your majesty's subjects have the strongest assurance, that the religion, laws, and liberties of this realm will be continued, and that they your majesty's said subjects and their posterity may, through the Divine Goodness, enjoy every blessing under your majesty's auspicious reign; have therefore freely resolved to grant unto you, our most gracious sovereign lord king George the Fourth, a certain revenue, payable out of the consolidated fund of the united kingdom of Great Britain and Ireland, and that the produce of the hereditary revenues aforesaid be made part of the said consolidated fund, during your majesty's life; and do most humbly beseech your majesty that it may be enacted; and be it enacted by the king's most excellent majesty, by and with the advice and consent of the Lords spiritual and temporal,

and Commons, in this present parliament assembled, and by the authority of the same, that all powers, authorities, provisions, regulations, and clauses contained in the said recited acts, or any or either of them, or in any other act or acts of parliament of Great Britain or Ireland, or of the united kingdom of Great Britain and Ireland, in force at the time of the demise of his late majesty, as to the said hereditary rates, duties, payments, and revenues in that part of the united kingdom called England, and also as to the hereditary revenues of that part of the united kingdom called Ireland, and the levying and collecting, and payment or keeping separate accounts thereof, or computing the amount of any such rates, duties, payments, or revenues respectively, shall be and the same are hereby declared and enacted to be in full force and effect, and shall be used and applied for the levying, collecting, paying or keeping separate accounts of, or computing the amount of all or any of such rates, duties, payments, and revenues, as fully and effectually to all intents and purposes as if the said powers, authorities, provisions, regulations, and clauses, were severally and separately re-enacted in the body of and made part of this act.

II. And be it further enacted, that the produce of all the said hereditary rates, duties, payments, and revenues, in that part of the united kingdom called England, which, during the life of his late majesty, were by the said recited acts, or any or either of them, carried to and made part, first of the aggregate fund, and, after the said recited act of

the twenty-seventh year aforesaid, of the consolidated fund of Great Britain, and all the said hereditary revenues in that part of the united kingdom, which were by the said recited act of the parliament of Ireland, of the thirty-third year aforesaid of the reign of his late majesty, carried to and made part of the consolidated fund of Ireland, and which hereditary rates, duties, payments, and revenues in England and Ireland respectively, at the time of the demise of his late majesty, made part of the consolidated fund of the united kingdom of Great Britain and Ireland, and all arrears thereof, which have accrued since the demise of his late majesty, which shall not have been applied and distributed in the payment of any charges thereupon respectively, shall, during the life of his present majesty (whom God long preserve) be carried to and made part of the consolidated fund of the united kingdom of Great Britain and Ireland, and from and after the demise of his present majesty (whom God long preserve) shall be payable and paid to the king's majesty, his heirs and successors.

III. And be it further enacted, that for the support of his majesty's household, and of the honour and dignity of the crown, there shall be granted to his majesty during his life, in that part of the united kingdom called England, a revenue of eight hundred and fifty thousand pounds, and in that part of the united kingdom called Ireland, a revenue of two hundred and seven thousand pounds; and that the said revenues shall be charged upon and made payable out of the consolidated fund

of the united kingdom of Great Britain and Ireland, and shall respectively commence from and immediately after the demise of his said late majesty king George the third, and be paid to his present majesty during his life (which God long preserve), with preference to all other payments which have heretofore been, or which shall or may hereafter be charged upon the same; and that the sum of three hundred and sixty-eight thousand nine hundred and fifty-six pounds and ten-pence in England, and eighty-nine thousand eight hundred and fifty-one pounds twelve shillings and eleven-pence in Ireland, shall be issued and paid out of the said consolidated fund, for the support of his majesty's household, and of the honour and dignity of the crown, being the proportion of the said revenues accruing in the period from the twenty-ninth day of January to the fifth day of July one thousand eight hundred and twenty; and that from and after the said fifth day of July the said annual revenues or sums of money shall grow due and payable to his majesty quarterly, at the four most usual days of payment in the year (that is to say), the tenth day of October, the fifth day of January, the fifth day of April, and the fifth day of July, by even and equal portions, out of the monies of the said consolidated fund of the said united kingdom; the first quarterly payment thereof to be made on the tenth day of October; and the lord high treasurer, or the commissioners of his majesty's treasury, or any three or more of them for the time being, shall and they are hereby authorized

and required to cause the said yearly revenues, or sums respectively, or any arrears thereof, to be issued and applied from time to time, daily, weekly, or otherwise, as soon as the same can be satisfied, for the uses and purposes by this act appointed, out of the monies arisen or to arise as aforesaid, so as by the said daily, weekly, or other payments, one-fourth part of such yearly revenues or sums of money be not exceeded in, for, or in respect of each quarter; and so that upon every of the said quarterly days the whole then due thereupon be completed, made up, or satisfied, according to the true intent and meaning of this act.

IV. And whereas the sum of two hundred thousand pounds was granted by the Commons House of Parliament in the last session to enable his majesty to satisfy such annuities, pensions, or other payments, as would have been payable out of the consolidated fund of the united kingdom of Great Britain and Ireland, or out of the civil list, in case the demise of his late majesty had not taken place before the fifth day of April one thousand eight hundred and twenty: and whereas the said hereditary revenues of his majesty, arisen and paid into the exchequer, between the time of his late majesty's demise and the fifth day of April, have in pursuance of the said recited acts of the first and twenty-seventh years of the reign of his late majesty king George the third, been set apart at the Exchequer for the use of his majesty, and a part of the said sums has been issued and applied in satisfying payments to which the civil-list

revenues are properly applicable; be it therefore enacted, that out of the first monies which shall be issued and paid out of the consolidated fund, in respect of the civil-list revenues granted to his majesty by this act, there shall be repaid to or retained in the Exchequer, towards completing the aids granted or to be granted by parliament for the service of the year one thousand eight hundred and twenty, a sum equal to so much of the said sum of two hundred thousand pounds, as shall have been or shall be advanced and applied in satisfying such annuities, pensions, or other payments, as would have been properly charged or chargeable upon the civil-list revenues; and there shall also be repaid to the consolidated fund, a sum equal to so much of the hereditary revenues set apart the fifth day of April last past, as may have been or may be issued or applied out of those revenues, for satisfying such annuities, pensions, or other payments, as would have been properly charged or chargeable upon the civil-list revenues; and the remainder of the said hereditary revenues, which may not have been issued or paid in satisfaction of any such charges, or of any other charges thereon, shall go and be carried to the said consolidated fund on the fifth day of July one thousand eight hundred and twenty.

V. And whereas doubts may be entertained whether the provisions of the acts relating to the civil-list revenues have expired with the civil-list revenue of his late majesty, by the demise of his late majesty; be it therefore further enacted and declared, that all the provisions

regulations, restrictions, clauses, matters, and things contained in the said recited acts, or any or either of them, which were applicable and in force as to the civil-list revenue at the time of the demise of his late majesty, shall, so far as the same are not altered, varied, or repealed by this act, be and remain and continue, and are hereby declared to be in full force and effect, as to the civil-list revenues granted by this act, and shall be used and applied, as far as the same are applicable, in relation to the issuing, paying, receiving, distribution, care, management, regulation and accounting for the civil-list revenues granted by this act, as fully and effectually to all intents and purposes, as if the same were severally, separately, and respectively repeated and re-enacted in the body of this act, and made part thereof.

VI. And whereas the estimated annual amount of the charge on the first class of the civil list, which the said commissioners of his majesty's treasury were by the said recited act of the fifty-sixth year aforesaid required to appropriate, according to the provisions of the said act, was two hundred and ninety-eight thousand pounds; and by the said recited act of the fifty-ninth year aforesaid the same was reduced to one hundred and ninety thousand pounds: and whereas by the reduction incident to your majesty's accession to the throne, the sum to be appropriated for the charge of this class of the civil list will be still further diminished; be it therefore enacted, that the sum to be appropriated in each quarter of a year for defraying the charge of the first

class of the civil list, shall be equal only to one-fourth part of the sum of sixty thousand pounds, being the estimated amount of the future annual charge of this class, according to the schedule to this act annexed.

VII. And be it further enacted, that whenever the total charge upon the civil list, from the fifth day of January in any one year, to the fifth day of January in the succeeding year, in Great Britain and Ireland, shall amount to more than the sum of one million and seventy thousand pounds, an account, stating the particulars of such exceedings, and the cause thereof, shall be submitted to parliament within thirty days after the same shall have been ascertained, if parliament shall be then sitting; but if parliament shall not be then sitting, then the said account shall be presented within thirty days after the next meeting of parliament.

VIII. And be it enacted, that the several and respective duties and revenues which were payable to his late majesty king George the third, in that part of Great Britain called Scotland, for and during his life, shall be continued, raised, levied, and paid from the demise of his said late majesty, during the life of his present majesty, in the same manner only, and subject to the same or the like charges thereon, as the same were liable or subject to during his said late majesty's life: saving always to all and every person and persons, bodies politic and corporate, their heirs and successors, executors, administrators and assigns (other than to our said sovereign lord the king, his heirs and successors, and other than to such person or

persons who do or may stand seised or possessed, in trust for his majesty, his heirs and successors), all such rights, titles, estates, customs, interests, claims, and demands whatsoever, of, in, to, or out of the revenues, hereditaments, and others the premises aforesaid or any of them, as they or any of them had or ought to have had at the making of this act, as fully and effectually to all intents and purposes as if this act had never been made; any thing herein contained to the contrary notwithstanding.

IX. And whereas by an act passed in the fiftieth year of the reign of his said late majesty, intituled "An Act to limit the amount of pensions to be granted out of the civil-list of Scotland," it was enacted, that all sums of money which should remain, after payment of all such pensions and grants and other charges as were or should thereafter be charged upon or granted or payable out of the civil list of Scotland, and after defraying such charges incident thereupon, should from time to time, as the same should arise, be applied in aid of the civil list of England: and whereas it is expedient to make further provision for the application of any such surplus; be it therefore further enacted, that every such surplus or balance, which may remain after defraying the whole of the charges upon or incident to the said fund, shall, during the life of his present majesty (whom God long preserve) go and be carried to the account of the said consolidated fund of the united kingdom.

X. And whereas by the said recited act of the thirty-third year of the reign of his late ma-

jesty, it was provided, that the whole amount of pensions to be granted in Ireland in one year should not exceed one thousand two hundred pounds, until the whole pension list should be reduced to eighty thousand pounds, which sum it should not afterwards be lawful to exceed; and that no pension should be granted after such reduction, to or for the use of any one person, exceeding the sum of one thousand two hundred pounds yearly, except to his majesty's royal family, or on an address of either House of Parliament: and whereas the pensions payable in Ireland have, for a very considerable time past, been reduced below the limit fixed by the said recited act, and it is expedient further to limit the same; be it therefore further enacted, that the whole amount of the pensions to be granted in Ireland in one year, shall not exceed one thousand two hundred pounds, until the whole pension list shall be reduced to fifty thousand pounds a year, which sum it shall not afterwards be lawful to exceed; and that no pension shall be granted after such reduction, to or for the use of any one person exceeding one thousand two hundred pounds a year, except to his majesty's royal family, or upon an address of either house of parliament.

XI. And be it further enacted, that nothing in this act contained shall extend, or be construed to extend, to impeach or diminish any rights, privileges, powers, and prerogatives, over the said small branches of his majesty's hereditary revenue, particularly mentioned in the said recited act of the first year of the reign of his late majesty, and used, exer-

cised, and enjoyed, or which might have been used, exercised, and enjoyed, by any of his majesty's royal predecessors since the passing of an act in the first year of the reign of her late majesty queen Anne, intituled "An Act for the better support of her majesty's household, and of the honour and dignity of the crown," other than the power of granting, during his majesty's life, or for any term of years determinable upon his life or otherwise, the profits and produce of any such of the said small branches, as are subject to the restrictions of the said last-mentioned act, with respect to the free and absolute disposition thereof, in derogation of the special purpose of this present act, to carry the same to the said consolidated fund.

XII. And be it further enacted, that nothing in this act contained shall extend or be construed to extend in anywise to impair or affect any rights or powers of control, management, or direction, which have been or may be exercised by authority of the crown, or other lawful warrant, relative to any leases, grants, or assurances of any of the said small branches of his majesty's hereditary revenue, or to any suits or proceedings for recovery of the same, or to compositions made or to be made on account of any of the said small branches, or to any remission, mitigation, or pardon of any penalties or forfeitures incurred or to be incurred by the importation of prohibited and uncustomed goods, or to fines taken or to be taken, and to rents, boons, and services reserved or to be reserved upon such grants, leases, and assurances, or to the mitigation or re-

mission of the same, or to any other lawful act, matter, or thing which has been or may be done touching the said branches; but that the said rights and powers shall continue to be used, exercised, and enjoyed in as full, free, ample, and effectual manner, to all intents and purposes, as if this act had not been made, and as the same have been or might have been enjoyed by his late majesty at the time of his demise, subject nevertheless to all such restrictions and regulations as were in force in relation thereto at the time of the demise of his late majesty; it being the true intent and meaning of this act, that the said rights and powers shall not in any degree be abridged or restrained, or affected in any manner whatsoever, but only that the monies arising from the full and free exercise and enjoyment of them so subject as aforesaid, shall, during his majesty's life, be carried to and made part of the said consolidated fund of the united kingdom.

XIII. And be it further enacted, that all sums of money from time to time arising out of any of the provisions or regulations contained in an act passed in the fifty-seventh year of the reign of his late majesty, intituled "An Act to abolish certain offices, and to regulate certain other offices in Ireland," and which were by the said act carried to and made part of the said consolidated fund during the life of his late majesty, shall in like manner be carried to and made part of the consolidated fund of the united kingdom of Great Britain and Ireland during the life of his present majesty.

XIV. And be it further en-

acted, that an annual account of all monies which shall or may hereafter arise, and be received for and in respect of any droits of Admiralty or droits of the Crown, and from the surplus of the duties called the four and a half per-centum duties, over and above salaries and all other annual charges affecting the same, and from all surplus revenues of Gibraltar, or any other possessions of his majesty, out of the united kingdom, and from all other casual revenue or revenues, whether arising in or from any foreign possessions, or in the united kingdom, and of the application and dispositions of all such monies or revenues, shall be laid before parliament on or before the twenty-fourth day of March in each year, if parliament shall be then sitting; or if parliament shall not be then sitting, then within thirty days after the then next meeting of parliament.

THE SCHEDULE TO WHICH THIS ACT REFERS.

	£
Ist CLASS.—His Majesty's Privy Purse	60,000
IIInd CLASS.—Allowances to the Lord Chancellor, Judges and Speaker of the House of Commons	32,955
IIIrd CLASS.—Salaries, etc. of his Majesty's Ambassadors and other Ministers, — Salaries to Consuls, and Pensions to retired Ambassadors and Ministers	226,950
IVth CLASS.—Expenses (except Salaries) of his Majesty's Household in the Departments of the Lord Steward, Lord Chamberlain, Master of the Horse, Master of the Robes, and Surveyor General of Works	209,000
Vth CLASS.—Salaries in the above Departments	140,700
VIth CLASS.—Pensions limited by the Act 22 Geo. 3, c. 82	95,000
VIIth CLASS.—Salaries to certain Officers of State, and various other Allowances	41,300
VIIIth CLASS.—Salaries to the Commissioners of the Treasury and Chancellor of the Exchequer... Occasional Payments, not comprised in any of the aforesaid Classes	13,822 26,000
	<hr/> £845,727 <hr/>

CROWN FUNDS.

An ACCOUNT of the total Produce of all Funds at the disposal of the Crown, and usually deemed not to be under the immediate control of Parliament, since the accession of his late Majesty; distinguishing the Monies arising from the Droits of Admiralty and Droits of the Crown;— $4\frac{1}{2}$ per cent. West-India Duties; Scotch Revenue; and from all other sources not hereinbefore specified;—so far as the same can be ascertained.

An account of the Droits of the Admiralty and

Droits of the Crown, from 1760 to 1820 - £. 9,562,614 4 $6\frac{1}{2}$

The application of this sum, in rewards to captors, and payments to claimants, and in aid of the public service, and of the Civil List, and for other purposes, is to be found in the accounts which have, from time to time, been laid before Parliament.

An account of the Four and Half per cent.

West-India Duties, from 1760 to 1820 - - 2,116,484 0 0

This Revenue is charged with the salaries of the governors and various other public officers connected with the West-Indies, and also with the payment of pensions granted by the Crown; as appears in the accounts laid from time to time before Parliament.

* An account of the surplus of Gibraltar Revenues, remitted to England from 1760 to 1820, after discharging garrison expenses -

124,256 10 7

An Account of the Surplus of Scotch Civil List, from 1760 to 1820, now appropriated as it may arise, under the Act 50 Geo. 3rd, c. 111, in aid of the Civil List in England -

207,700 0 0

An Account of the Escheats to his Majesty, in cases of illegitimacy or otherwise, from 1760 to 1820 - - - - -

214,647 15 0

An Account of the Escheats to his Majesty, being the property of Alien Enemies, from 1760 to 1820 - - - - -

108,777 17 8

* The whole of these sums have been appropriated at various times in discharge of the debts of the Civil List, and to other public purposes, as will appear by the Reports and Accounts laid before Parliament; with the exception of 385,000*l.*, which sum was applied between his Majesty's Accession and the year 1820, in numerous payments, for the purposes of the Privy Purse, as directed by his Majesty.

An Account of the Funds arising by Sale of Lands in the French West-India Islands, ceded at the Peace of 1763	-	-	-	106,300	0	0
An Account of the Revenues arising from the Islands of Minorca, Martinique, St. Croix, and St. Thomas, and from the Settlement of Surinam, while the same were in the possession of his Majesty	-	-	-	159,816	0	7
An Account of the Casual Revenues arising from Quit Rents, &c. in the British Colonies, and from all other sources not before enumerated, from 1760 to 1820	-	-	-	104,865	3	2½
				<hr/> £. 12,705,461 11 7		

Final Report of the Commissioners appointed for Inquiring into the Mode of Preventing the Forgery of Bank-Notes.

To his Majesty George the Fourth, King of the United Kingdom of Great Britain and Ireland.

Since we had the honour of explaining to your majesty the course of our proceedings, a longer interval has elapsed than we had anticipated as likely to occur. This has arisen partly from our wish to have some experiments tried, with a view to the improvement of that plan, which we then stated ourselves to have selected, and partly from our anxiety to give the fullest and most deliberate consideration to another plan, of great ingenuity, and exhibiting specimens of beautiful work, which had formerly been suggested to us, and the particulars of which have, upon several occasions, and within a recent period, been laid before us: this plan, however, after such consideration, we do not find to possess such merit as would make it proper for us to recommend its adoption, in preference

to that which we had first selected.

With respect to the paper, we are of opinion that it will not be advisable to make any alteration in that which is now used by the Bank.

Upon the whole, we have ventured to recommend for adoption by the Bank the plan brought forward by Messrs. Applegath and Cowper, which was originally submitted to the directors a short time only before the appointment of this commission, and received immediate encouragement from them; and upon which some improvements have since been made. The directors have readily complied with this recommendation, and the necessary machines are in a state of great forwardness.

We humbly conceive that your majesty, for obvious reasons, would not wish us to enter upon any detailed explanation of the particulars of this plan. The objects which we have kept in view, in making the selection upon which we have determined, have been to enable the Bank to ensure to the public a regular supply of their notes in sufficient quantity to meet the daily de-

mand, and to have those notes executed in such a manner, as shall render them fit for general circulation amongst all classes of society; whilst at the same time very considerable obstacles are opposed to the art of any person who might be disposed to engage in forging them. And we humbly submit to your majesty our opinion, that these objects will be attained by the adoption of the note formed by the machines submitted to our view by Messrs. Applegath and Cowper.

We cannot but be aware, that no form of a note can possibly be contrived that may not be successfully imitated by some artist of superior talents; we hope, however, and we believe, that no man capable of forging the note which we recommend can be in such distressed circumstances as to feel any inclination to place himself in danger of the ignominious punishment which awaits a crime so hurtful to public credit, and to the community at large.

All which is humbly submitted to your majesty's consideration and judgment.

JOSEPH BANKS.

WM. CONGREVE.

WM. COURTENAY.

DAVIES GILBERT.

JER. HARMAN.

WM. H. WOLLASTON.

CHARLES HATCHETT.

February, 1820.

REPORT.

The Select Committee of the House of Commons, to whom the several Petitions presented to the House upon the subject of Agricultural distresses were referred, to consider the matter thereof, and report their opinion thereon; and who were,

by an instruction of the 31st of May last, directed to confine their inquiries to the mode of ascertaining, returning, and calculating the average prices of corn in the twelve Maritime Districts, under the provisions of the existing Corn Laws, and to any frauds which may be committed in violation of any of the provisions of the said laws;—have proceeded to investigate this branch of the subject matter of those Petitions, and have agreed to the following Report:—

Your Committee have thought it necessary to explain, in the first instance, the manner in which the returns of the prices of the several sorts of British corn (the aggregate price of which governs the importation of foreign corn), are required to be taken and computed by the existing laws, and subsequently to make some observations thereon, and to suggest some alterations. These returns are taken from those parts of England more immediately accessible to the sea, which have been denominated the twelve maritime districts; and the counties comprehended in which are particularly described by the act of the 31st of his late majesty, cap. 30. These districts were, under that act, totally independent of each other, the foreign trade in corn being governed in each by its own distinct price, so that the ports might be open in one district, and closed in another. Scotland also was divided into four districts; the foreign corn trade of each being governed in the like manner. This system continued until the year 1804, when it was determined, by an

act of that year, that the entire foreign corn trade of England should be governed by one ruling price, and the aggregate average price of the twelve maritime districts was fixed upon as the basis to form that ruling price; it was also enacted, that the entire trade of Scotland should be governed by the aggregate average of the four Scotch districts. In the year 1805 it was enacted, that both England and Scotland should be governed by one ruling price, and the aggregate average of the twelve maritime districts of England was then adopted for that purpose. During this period Ireland was considered in relation to its trade in corn with Great Britain as a foreign country; nor was it till the year 1806 that the perfect freedom of trade in corn between the two countries was established. The foreign trade of Ireland, as well as of Great Britain, is now governed by the same rule.

The first of these twelve maritime districts comprises the counties of Essex, Kent, and Sussex; but the price of that whole district is determined exclusively by that of the Corn Exchange in Mark-lane; and in order to ascertain the same, all corn-factors are required by law to return to an inspector, who is appointed by the proprietors of the Corn Exchange, an account in writing weekly of the quantities and prices of each and every sale of corn made by them, and the names of the buyers, and by what measure and weight sold; all which accounts the inspector must enter in a book to be kept for that purpose. If any sales are made by measure or weight other than the Winchester bushel

or weight of 57 lb., he is to equalize them accordingly, and then cast up the total quantity sold in the week, the total money the same has been sold for, and divide the money by the number of the quarters, and the result gives the average price for the first district. This account is transmitted to the receiver of corn returns. The inspector gives bond before the lord-mayor, and makes oath to the due execution of his office, and is liable to be removed upon complaint; he has an office found for him, and a salary of 200*l.* per annum, paid by a duty of 1*d.* per last on British, and 2*d.* per last on foreign corn brought into the Thames eastward of London-bridge; his books are not open to public inspection, but they are accessible to the receiver at all times, and to other persons, by order of the lord-mayor or two aldermen. Every corn-factor is bound to make a declaration to return all sales made by him, with the names of the buyers, and by what measure and weight sold, under a penalty of 50*l.*

The 2nd district comprises the towns of Ipswich, Woodbridge, Sudbury, Hadleigh, Stowmarket, Bury, Beccles, Bungay, Lowestoft, Cambridge, Ely, and Wisbeach.

The 3rd district comprises the towns of Norwich, Yarmouth, Lynn, Thetford, Watton, Wymondham, East Dereham, Harleston, Holt, Aylesham, Fakenham, and Walsingham.

The 4th district comprises the towns of Lincoln, Gainsborough, Glamford Briggs, Louth, Boston, Sleaford, Stamford, Spalding, York, Bridlington, Beverley, Howden, Hull, Whitby, and New Malton.

The 5th district comprises the towns of Durham, Stockton, Darlington, Sunderland, Barnardcastle, Wolsingham, Belford, Hexham, Newcastle, Morpeth, Alnwick, and Berwick.

The 6th district comprises Carlisle, Whitehaven, Cockermouth, Penrith, Appleby, and Burton.

The 7th district comprises the towns of Liverpool, Ulverston, Lancaster, Preston, Wigan, Warrington, Manchester, Bolton, Chester, Nantwich, Macclesfield, and Stockport.

The 8th district comprises the towns of Holywell, Mold, Denbigh, Wrexham, Llanrwst, Ruthin, Beaumaris, Llanerch-y-Medd, Amlwch, Carnarvon, Pwllheli, Conway, Bala, Corwen, and Dolgelly.

The ninth district comprises Cardigan, Lampeter, Aberystwith, Pembroke, Fishguard, Haverfordwest, Carmarthen, Llandilo, Kidwelly, Swansea, Neath, and Cowbridge.

The 10th district comprises Gloucester, Cirencester, Tetbury, Stow-on-Wold, Tewkesbury, Bristol, Taunton, Wells, Bridgewater, Frome, Chard, Monmouth, Abergavenny, Chepstow, and Pontypool.

The 11th district comprises Exeter, Barnstaple, Plymouth, Totnes, Tavistock, Kingsbridge, Truro, Bodmin, Launceston, Redruth, Helstone, and St. Austell.

The 12th district comprises Blandford, Bridport, Dorchester, Sherborne, Shaftesbury, Wareham, Winchester, Andover, Basingstoke, Fareham, Havant, Newport, Ringwood, Southampton, and Portsmouth.

An inspector is appointed for each of these towns by the magistrates in sessions; and the

dealers in corn, viz. millers, maltsters, merchants, factors, agents, &c. are bound to make returns in writing of the quantity and price of each and every sale of corn, and by what measure or weight the same was bought, to the inspector of the town in which such purchase was made. He is bound to enter all these returns in a book, and transmit weekly an account thereof to the receiver of corn returns in London.

The total quantity of corn sold in each town is cast up, and the total of money for which the same was sold, after equalizing the weights and measures (if any variations are found therein), and then dividing the money by the quarter, the result gives the average price of that town; these average prices of each town, being thus found, are added together, and, being again divided by the number of towns, give the average of such district; and the averages of the districts thus found are added together, and being divided by 12, give the aggregate average of the whole 12 districts; and the combined aggregate average price of the six weeks preceding the 15th May, August, November, and February, determines the opening and shutting of the ports at those periods respectively.*

* By the act 55 Geo. 3rd, c. 26, s. 5, it is however enacted, that if after the opening of the ports for the importation of foreign corn, &c., the price of any such corn, &c., should in the first six weeks following such opening fall below the prices at which foreign corn is allowed to be imported, the ports shall be shut against the importation of that sort of foreign corn, from any place from the Eyder to the Bidassoa, for the last six weeks of that quarter, or until a new average shall be made up and published.

The country inspectors are bound by oath to the due execution of their office, and are removable by the magistrates; they are bound to enter all returns in a book, the inspection of which is open to the receiver and to others, by order of two magistrates.

They are allowed 5s. for every return, out of the county-rate, which was reimbursed by the receiver-general of customs formerly out of duties received on the importation of foreign corn; but the same having been repealed, the charge is left upon the custom-duties generally. Magistrates may order further remuneration out of county-rates, but can obtain no further reimbursement.

All dealers are bound to make a declaration that they will make true and faithful returns, according to the directions of the statute, and are liable to a penalty of 10% for every neglect or default, or false return.

The privy council have power to change the towns from whence returns are required to be made, upon the representation of magistrates in sessions.

Your Committee having thus detailed the principal provisions of the existing law for collecting the returns of prices, and forming the averages, which they think, with some few exceptions, are well constructed to accomplish the object of the legislature, if duly executed, have now to state the result of their inquiry as to its execution, the existence of any frauds, the liability to fraud, and the means of prevention; and in the first place, with regard to its execution, they feel themselves warranted in saying, upon the

concurrent testimony of all the witnesses, that with the exception of the returns taken at the Corn Exchange, the greatest neglect and inattention has universally prevailed; the returns taken at the Corn Exchange appear to be regular and correct, and the persons bound by law, viz., the factors, obey the injunction of the statute. Your Committee remark here, that the returns are made by factors only, that is, persons employed to sell on commission, and consequently that all purchases made by millers, maltsters, and merchants, of the growers or shippers of corn, or agents or persons other than factors, do not come into this return. Your Committee are not aware of the reasons that induced the legislature to determine the price of the first district by the criterion of the Corn Exchange; it appears to them, that it would be more consonant to the spirit of the law to take the price from the principal towns of Essex, Kent, and Sussex, in order to estimate the real average price of corn in those three extensive maritime counties; the consumption of London requires the higher quality of grain, and probably does therefore consist of the best growth of those counties, to the price of which must be added the cost of transport to market.

In regard to the other districts, your Committee find, as above stated, universal neglect, and they have reason to think that a very inconsiderable proportion of the quantity sold weekly is ever returned. Your Committee think that an inspection of the paper marked (A) is sufficient alone to exemplify and prove that opinion; the House will see that the week-

ly average sale in many of the most celebrated cities and towns is so exceedingly small, as to form in itself conclusive proof that no attention whatever is given to the collection of returns; indeed, it often occurs, particularly in Manchester, Macclesfield, and Stockport, returns are made to the receiver of "None sold." From Plymouth the inspector returned three quarters of wheat in one instance; and seven in another, have formed the total return for the week; when it is in evidence that a single dealer will often sell 200 quarters in that place on one market-day; the inspector says, that not one-tenth of the dealers ever make any return at all. At Bristol thirty-nine quarters of wheat appear, in one instance, to have formed the total return; twenty-five in another, and, on one occasion, none was returned: it is supposed, nevertheless, by the inspector, that the weekly sales are from 1,500 to 2,000 quarters; and although there are about forty factors and dealers in corn in Bristol, yet not more than six or seven have ever signed the declaration, or ever make any returns. At Liverpool similar neglect is stated to prevail. Your Committee do not think it necessary, therefore, to go further into this part of the subject; many of the witnesses have produced statements of sales of their own, compared with the returns under the act, to show that in many cases they are widely different; in general, they suppose that the aggregate average is higher than their sales; but this does not appear to be uniformly the case, though there are undoubtedly many circumstances that may have a tendency to bring

the high-priced wheats into the return rather than the low. Millers and bakers, when concerned in making the return, may have an interest in making the price (particularly in towns where an assize of bread is set) appear high. Merchants and factors of foreign corn may have the same inducement to open the ports and warehouses. Farmers have a pride in the quality of their growth of corn, as proved by the sale, and often give large measure, or make up deficiency of weight by additional quantity. It is also in evidence, that a very general inattention prevails in respect to the use of the legal standard, and that every deviation is an increase upon it.

In regard to the practice of any fraud, with a view to create an influence on the price which each quarter-day is to govern the opening and shutting the ports, your Committee have to report, that no instance has been actually proved before them to have succeeded in producing the effect desired; but two or three cases are stated in evidence, in which, according to the opinion of the witnesses, such an attempt has been made.

A great difference of price between the returns from the Corn Exchange and those in the factors' letters has been shown to exist in each of the six weeks preceding the 15th November, 1818, wherein it appears sometimes that the letters give an advance of price, whilst the Corn-Exchange return shows a fall, and *vice versa*, particularly in the last of the six weeks, when a great fall took place in the Corn-Exchange return, but no correspondent depression according to

the factors' letters. The average of Kent and Essex is also shown at the same time to be much at variance with the returns of the Corn Exchange; the first five of the six weeks were 3s. 4d. above the price of those counties, the sixth week 2s. 2d. below them. From these circumstances the witness thinks that an inference may be drawn, that in these five weeks the Corn Exchange return was influenced by artificial means, so as that the ports were kept open that quarter-day by 2d. in spite of a counter effort, which he states to have been made in the last week, which was intended to shut them; in that week a fictitious sale of Scotch wheat, to the extent of 1,000 quarters, was made upon the market, at a price of 60s., which was entered in the inspector's return, and, being much below the average price, had of course an influence in depressing the return price of that week, but not so as to effect the object in view, as the ports did, as above stated, open that quarter-day by 2d.

A very striking instance of fraud is stated also to have been practised at Liverpool, which was not detected till it excited observation on the part of the receiver in London. On that occasion returns were made to the following effect:—2,300 qrs. of British wheat, at 50s. per quarter, whilst the true average of the market was from 68s. to 70s.; 2,000 qrs. of oats, at 18s. per quarter, whilst the true average was 23s. to 24s.; 1,000 qrs. of beans, at 35s. per qr., whilst the true average was 48s. to 50s.; 500 qrs. of peas, at 38s. per qr., whilst the true average was 48s. to 51s. The parties by whom these returns were made

were understood to be considerable holders of British corn, and were induced to resort to this mode of reducing the general averages, to promote the purpose of their speculations, and to render more improbable the ports being opened for the importation of foreign grain: from the careless manner in which the business of the inspector had been conducted, this fraud escaped detection in Liverpool.

But, notwithstanding your Committee have received no proof of frauds beyond what are here stated, they are of opinion that there are some circumstances particularly arising from the mode pursued of computing the average ruling price, which afford great and obvious facilities to fraud; these facilities exist too without violating the letter of the law. They have not been practised hitherto, partly because the extent to which they exist has not been generally known, and partly because in former times the inducement was not so strong as at present; within the last few years more extensive speculations in foreign corn have been carried on than formerly. It is obvious, that whilst the difference is so great between the continental and the British price of corn as at present, the latter being on an average double the price of the former, every temptation exists to get in a large quantity of foreign corn, and then to shut the ports; and as the importation price is fixed at 80s., which is also supposed to be the lowest price at which it can be grown, the market price will (except at particular periods, and under peculiar circumstances) be within a very few shillings of the import price, and,

of course, the approach to the quarter-day is likely to produce a struggle between the parties concerned, according to their respective interests. In the early periods of the corn laws, the import price was fixed so much above the remunerating market-price, that an occasion for such struggles, and consequent perpetual speculations, could rarely occur; nor was the difference between the British and continental price at that time so considerable as to excite so much interest as now exists.

In order to explain fully these facilities of fraud, which arise out of the present mode of computing the aggregate average, it is necessary to refer to the paper in the Appendix marked (A), in which the amount of the weekly sales for the year 1819, in each of the twelve districts respectively, is set forth. It will be seen, that the average weekly sales in the 6th district amount only to 359 quarters, 6 bushels; in the 8th to 324 quarters, 2 bushels; and in the 9th to 135 quarters, 3 bushels.

These quantities, being so small, are obviously liable to be operated upon to a great extent by purchases made at a trifling sacrifice; and, as each district forms alike a 12th of the aggregate, three form a fourth; and any undue influence created therein must produce a great alteration upon the price on which the opening or shutting of the ports depend: thus, if the price was advanced 4s. in these three districts, the aggregate would be advanced 1s.; if 6s., 1s. 6d., and so in proportion; a great effect upon the aggregate price must follow thereupon. It is true, that

if a more rigid execution of the act should bring a larger quantity of corn into the returns of these districts, the facility of influence over the price would be diminished in proportion; but still the computation of the averages upon a dividend of the whole quantity into twelve, and three or four of these twelve being comparatively small, great temptations to influence the aggregate price, by operations carried on in those smaller districts, would still exist. To obviate the occurrence of so great an evil, your Committee venture to propose that the total quantity of corn sold in the 139 towns of the twelve districts should, by the receiver of corn returns, be thrown together and cast up; also the total amount of the money for which the same was sold, and the money divided by the number of quarters: thus dividing once only to find the aggregate average price, instead of extracting it by the complicated calculations before described. The average total of weekly sales in the 139 towns, according to the paper in the Appendix, marked (B), amount, in the six weeks ending 13th May last, to 25,114 quarters. This quantity, drawn from so many different markets, appears to your Committee to be above the means of any fraudulent influence; and as a more rigid execution of the law will add considerably to the quantity of corn now brought into the returns, the difficulty of fraud will be so much further increased, as, in the opinion of your Committee, to remove all apprehension of such an occurrence in future.

Your Committee think that a new act may be necessary to authorize the computation of the ag-

gregate average price in the manner thus proposed. The direction of the act of the 44th Geo. 3rd, cap. 109, as to the manner of computing the aggregate averages, is not very definite; but one uniform practice has prevailed since that period, which of itself may be supposed to have determined the law, and make a new act necessary. Your Committee have particularly turned their attention to an examination of the effect that would be produced, as to the opening or shutting of the ports, by adopting the mode proposed of computing the average, instead of that at present in use; as they are sensible that if the opening of the ports was likely to be retarded thereby, it would be productive of an effect which at present is not in the contemplation of the House. They, therefore, directed the receiver of corn returns to compute the average price of each of the six weeks ending the 13th May last, in the established mode, and in that proposed, which is accordingly set forth in the paper marked (B) and (C), by which it will be seen that the difference is very trifling, so as rarely in any instance to exceed the fraction of a shilling, and that fraction more frequently higher than lower according to the mode now practised. Should the proposed mode be adopted, the returns from the inspectors to the receiver in London may be made exactly in the same form and manner as at present. It will be the business of the receiver, when the returns are all come in, to add the quantities all together, and strike the general aggregate average.

Your Committee are of opi-

nion, that, in order to ensure a due execution of the law, some further enactments and regulations are necessary to be adopted. In the first place, they think that the Board of Trade should be furnished by law with greater means of general superintendence and direction than they at present possess. Secondly, they think it necessary to observe, that the inspectors have not at present an adequate salary for their trouble. The country inspectors are paid 5s. only for each return, and though the magistrates have a power to increase that allowance out of the county-rates, it does not appear to have been done in any instance.

The inspector upon the Corn Exchange appears to be adequately paid by the proprietors thereof, and the receiver of corn-returns is appointed by the Treasury, and it is presumed he either is or may be sufficiently paid for the due execution of his office, which is certainly an office of great trust and responsibility, and requires the constant attention and utmost vigilance of those employed in it.

Your Committee are also of opinion that various other regulations might be adopted that would tend to the obtaining of more correct returns.

The inspectors should be furnished with directions and printed forms for making up their books and returns; the latter have, indeed, been lately supplied to them by the receiver; their books should be open to inspection, under regulation, to buyers and sellers, so far as relates to their own individual sales or purchases, the average price of each town should be posted in the market-place so

soon as the same has been cast up, and again at the opening of the market on the subsequent market-day; and the total quantity of corn and total of money should be given at the same time.

Your Committee are of opinion, that though it is proposed to ascertain the aggregate price which is to govern the foreign trade by the total quantity received from all the towns in the 12 districts added together, yet that it may be useful to show the weekly average of each district, and quantity sold therein.

The inspectors should every quarter produce their books to a general or petty sessions, to have them examined and signed by the magistrates thereat; and it is also expedient that the weekly aggregate of the twelve maritime districts, with the quantity and price, should be published in the *Gazette*.

Your Committee think it necessary here shortly to advert to certain provisions of the 31st of his late majesty, under which returns were made of the prices of corn from the inland counties, and which still continue in conformity thereto to be received and made up, and weekly published in the *Gazette*. That act recites, that "whereas it would be highly useful that an account should be obtained of the prices at which the several sorts of corn, &c. are sold in the several inland and other counties of the kingdom, from which returns were not hereinbefore directed to be made, in order that a register thereof may be formed and published, for the information and benefit of his majesty's subjects." The act then provides for the

appointment of inspectors, and the general execution in like manner as is provided in respect to the maritime counties, and the returns then received are entered in a book kept for that purpose, and once in every week "an abstract of the average prices made up and computed in manner hereinbefore respectively directed, from all the returns received, as well from the several districts of the said 12 maritime counties of England and Wales, as from the counties, cities, and towns thereinbefore mentioned;" and this total is denominated the average of England and Wales. Your Committee have carefully examined and compared the prices returned by this total of inland and maritime counties with the price of the maritime counties only; the difference is trifling, and varies so as sometimes to be above and sometimes below the prices of the maritime districts. Comparative prices will be seen in the paper marked (D); the inland counties therefore might be added, if thought advisable, to the maritime, in order to form the governing price. But your Committee do not take upon themselves particularly to recommend this alteration in the law, as the maritime counties alone have been taken as the basis on which to form the governing price, under the act of the 55th of his late majesty.

Upon the same principle on which the prices of the inland counties have been ascertained and published weekly in England, it would be desirable to direct similar returns to be made weekly also from Scotland and Ireland. From the former country it may be done without any fresh enact-

ments, as quarterly returns still continue to be received from those under the directions of the 31st Geo. 3rd, and for the same reasons, that there should be published quarterly in the *Gazette*, average prices, made up from the returns received from the whole of the united empire.

It appears reasonable that Irish corn should be considered as British corn when sold in the British market, and admitted as such into the returns.

Your Committee having received some intimations of frauds committed under the warehousing provisions of the 55th and the 31st George 3rd, and that foreign corn was taken from under the king's lock and thrown upon the market, proceeded to make some inquiry thereupon, but were not able to discover that any such frauds had been actually committed. They are of opinion, however, that it would be useful to provide a check against such an occurrence, by not only measuring the corn into the warehouses, but occasionally gauging the quantities; and measuring them out again, as well when the locks are taken off for home consumption, as for exportation.

It had also been suggested to your Committee, that frauds had been committed by introducing foreign grain into ships taking cargoes coastwise, going out half loaded, and filling up with foreign corn on their voyage; but no evidence has been adduced to establish the existence of such a practice. It has also been said that flour has been introduced from the United States of America, through the medium of our colonies; and one witness has

stated that a mercantile house at Liverpool offered to supply him through that medium; but your committee have received no further testimony thereof. They are certainly of opinion that it is highly desirable that the officers of the customs should, under the direction of government, be ordered vigilantly to guard against any attempt of this nature to defeat the object of the legislature.

July 8, 1820.

To the Honourable the House of Commons of the United Kingdom of Great Britain and Ireland.

The humble Petition of the undersigned Merchants of the City of London,

Showeth, That foreign commerce is eminently conducive to the wealth and prosperity of a country, by enabling it to import the commodities, for the production of which the soil, climate, capital, and industry of other countries are best calculated, and to export in payment those articles for which its own situation is better adapted.

That freedom from restraint is calculated to give the utmost extension to foreign trade, and the best direction to the capital and industry of the country.

That the maxim of buying in the cheapest market, and selling in the dearest, which regulates every merchant in his individual dealings, is strictly applicable as the best rule for the trade of the whole nation.

That a policy founded on these principles would render the commerce of the world an interchange of mutual advantages, and diffuse an increase of wealth and enjoy-

ments among the inhabitants of each state.

That, unfortunately, a policy the very reverse of this has been, and is, more or less, adopted and acted upon by the government of this and of every other country, each trying to exclude the productions of other countries, with the specious and well-meant design of encouraging its own productions; thus inflicting on the bulk of its subjects, who are consumers, the necessity of submitting to privations in the quantity or quality of commodities; and thus rendering what ought to be the source of mutual benefit and of harmony among states, a constantly-recurring occasion of jealousy and hostility.

That the prevailing prejudices in favour of the protective or restrictive system may be traced to the erroneous supposition that every importation of foreign commodities occasions a diminution or discouragement of our own productions to the same extent: whereas it may be clearly shown, that although the particular description of production which could not stand against unrestrained foreign competition would be discouraged, yet as no importation could be continued for any length of time, without a corresponding exportation, direct or indirect, there would be an encouragement, for the purpose of that exportation, of some other production to which our situation might be better suited; thus affording at least an equal, and probably a greater, and certainly a more beneficial employment to our own capital and labour.

That of the numerous protective and prohibitory duties of our commercial code, it may be prov-

ed, that while all operate as a very heavy tax on the community at large, very few are of any ultimate benefit to the classes in whose favour they were originally instituted, and none to the extent of the loss occasioned by them to other classes.

That, among the other evils of the restrictive or protective system, not the least is, that the artificial protection of one branch of industry, or source of production, against foreign competition, is set up as a ground of claim by other branches for similar protection; so that if the reasoning upon which these restrictive or prohibitory regulations are founded were followed out consistently, it would not stop short of excluding us from all foreign commerce whatsoever. And the same train of argument, which, with corresponding prohibitions and protective duties, should exclude us from foreign trade, might be brought forward to justify the re-enactment of restrictions upon the interchange of productions (unconnected with public revenue) among the kingdoms composing the union, or among the counties of the same kingdom.

That an investigation of the effects of the restrictive system, at this time, is peculiarly called for; as it may, in the opinion of your petitioners, lead to a strong presumption that the distress which now so generally prevails is considerably aggravated by that system, and that some relief may be obtained by the earliest practicable removal of such of the restraints as may be shown to be most injurious to the capital and industry of the community, and to be attended with no com-

pensating benefit to the public revenue.

That a declaration against the anti-commercial principles of our restrictive system is of the more importance at the present juncture, inasmuch as, in several instances of recent occurrence, the merchants and manufacturers in foreign states have assailed their respective governments with applications for further protective or prohibitory duties and regulations, urging the example and authority of this country, against which they are almost exclusively directed as a sanction for the policy of such measures. And certainly, if the reasoning upon which our restrictions have been defended is worth any thing, it will apply in behalf of the regulations of foreign states against us. They insist upon our superiority in capital and machinery, as we do upon their comparative exemption from taxation, and with equal foundation.

That nothing would more tend to counteract the commercial hostility of foreign states than the adoption of a more enlightened and more conciliatory policy on the part of this country.

That although, as a matter of mere diplomacy, it may sometimes answer to hold out the removal of particular prohibitions, or high duties, as depending upon corresponding concessions by other states in our favour, it does not follow that we should maintain our restrictions, in cases where the desired concessions on their part cannot be obtained. Our restrictions would not be the less prejudicial to our own capital and industry, because other governments persisted in preserving impolitic regulations.

That, upon the whole, the most liberal would prove to be the most politic course on such occasions.

That, independent of the direct benefit to be derived by this country on every occasion of such concession or relaxation, a great incidental object would be gained by the recognition of a sound principle or standard, to which all subsequent arrangements might be referred, and by the salutary influence which a promulgation of such just views by the legislature, and by the nation at large, could not fail to have on the policy of other states.

That in thus declaring, as your petitioners do, their conviction of the impolicy and injustice of the restrictive system, and in desiring every practicable relaxation of it, they have in view only such parts of it as are not connected, or are only subordinately so, with the public revenue. As long as the necessity for the present amount of revenue subsists, your petitioners cannot expect so important a branch of it as the customs to be given up, nor to be materially diminished, unless some substitute, less objectionable, be suggested. But it is against every restrictive regulation of trade, not essential to the revenue—against all duties merely protective from foreign competition—and against the excess of such duties as are partly for the purpose of revenue, and partly for that of protection—that the prayer of the present petition is respectfully submitted to the wisdom of parliament.

Your petitioners therefore humbly pray that your honourable House will be pleased to

take the subject into consideration, and to adopt such measures as may be calculated to give greater freedom to foreign commerce, and thereby to increase the resources of the state.

THE FOREIGN TRADE OF THE COUNTRY.

Report from the Select Committee appointed to consider of the Means of Maintaining and Improving the Foreign Trade of the Country.

[Ordered, by the House of Commons, to be printed, 18th of July, 1820.]

The Select Committee appointed to consider of the means of maintaining and improving the foreign trade of the country, and to report their opinions and observations thereupon to the House; and to whom the several petitions relating to the commercial restrictions, and to the duties on timber, presented in the present session, were referred; and who were also empowered to report, from time to time, to the House—have, pursuant to the order of the House, considered the matters to them referred, and have agreed upon the following report:—

It has appeared to your Committee, that the means of attaining the object to which their consideration has been directed by the order of the House, consisted less in affording any additional legislative protection or encouragement to the commerce of the united kingdom with foreign states, than in relieving it from a variety of restrictions which the policy of a former

period imposed upon it; and which, whether expedient or otherwise at the time when they were enacted, having ceased to be necessary for the purposes which originally recommended them, tend to embarrass its operations, and impede its extension and prosperity. Your Committee are satisfied that the skill, enterprise, and capital of British merchants and manufacturers require only an open and equal field for exertion; and that the most valuable boon that can be conferred on them, is, as unlimited a freedom from all interference as may be compatible with what is due to private vested interests that have grown up under the existing system, and those more important considerations with which the safety and political power of the country are intimately connected.

Your Committee have therefore thought that they should best consult the intentions of the House by directing their immediate attention to those regulations which, under the name either of restrictions or protections, operate in controlling the commerce of the kingdom, in order to estimate their nature and effects; and to judge in what degree it may be prudent to retain them, and in what instances (subject to the considerations referred to) their removal or modification may be recommended with safety and advantage.

In contemplating the range of the duty assigned to them, and the variety and importance of the objects of investigation embraced by it, your Committee were of opinion, that the most convenient course they could adopt would be, to take the sub-

jects up under distinct heads, and report upon them in succession: by which the House might be enabled, not only to form its judgment more easily on each subject, as separately submitted to it, but also more readily to give effect to its judgment, when formed, by such legislative enactments as in the respective cases might seem expedient.

Before, however, your Committee proceed to advert to the points which have been the principal objects of their inquiry, they are anxious to call the observation of the House to the excessive accumulation and complexity of the laws under which the commerce of the country is regulated; with which they were forcibly impressed, in the very earliest stage of their proceedings. These laws, passed at different periods, and many of them arising out of temporary circumstances, amount, as stated in a recent compilation of them, to upwards of 2,000, of which no less than 1,100 were in force in the year 1815, and many additions have been since made. After such a statement, it will not appear extraordinary that it should be a matter of complaint to the British merchant, that, so far from the course in which he is to guide his transactions being plain and simple; so far from being able to undertake his operations, and to avail himself of favourable openings, as they arise, with promptitude and confidence, he is frequently reduced to the necessity of resorting to the services of professional advisers, to ascertain what he may venture to do, and what he must avoid, before he is able to embark in his commercial adventures, with

the assurance of being secure from the consequences of an infringement of the law. If this be the case (as is stated to your committee), with the most experienced amongst the merchants, even in England, in how much greater a degree must the same perplexity and apprehension of danger operate in foreign countries and on foreign merchants, whose acquaintance with our Statute-book must be supposed to be comparatively limited, and who are destitute of the professional authorities which the merchants at home may at all times consult for his direction? When it is recollected, besides, that a trivial unintentional deviation from the strict letter of acts of parliament, may expose a ship and cargo to the inconvenience of seizure, which (whether sustained or abandoned) is attended always with delay and expense, and frequently followed by litigation; it cannot be doubted that such a state of the law must have the most prejudicial influence both upon commercial enterprise in the country, and upon our mercantile relations and intercourse with foreign nations. And perhaps no service more valuable could be rendered to the trade of the empire, nor any measure more effectually contribute to promote the objects contemplated by the House, in the appointment of this committee, than an accurate revision of this vast and confused mass of legislation; and the establishment of some certain, simple, and consistent principles, to which all the regulations of commerce might be referred, and under which the transactions of merchants, engaged in the trade of the united

kingdom, might be conducted with facility, with safety, and with confidence.

The commercial restrictions, to which the intercourse of the united kingdom with foreign states is subjected, may be classed under three heads—first, those intended for the improvement of its navigation, and the support of its naval power: secondly, those which arise out of the necessity of drawing from commerce, in common with other resources, a proportion of the public revenue; and, lastly, those necessary to the protection afforded to various branches of our domestic industry, for the purpose of securing to them the internal supply of the country, and the export to its several colonies.

The head of restrictive protections, to which the attention and inquiry of your Committee has been in the first instance directed, is that which comprehends the acts intended for the support and extension of British shipping.

It would be superfluous to pursue the history of our laws for the promotion of British commerce and navigation, from the earliest period at which the subject appears to have occupied the attention of the legislature, to the reign of Charles II, when they were brought nearly to that state in which, with some subsequent modifications, they have since continued.

Whatever may have been the principles which dictated, or the political benefits that have accrued to the country from the acts passed in the 12th, 13th, and 14th of Charles II, and known by the name of "The Navigation Law, and Statute of Frauds;" it can scarcely be denied, that

they have a tendency to cramp the operations of commerce, and to impede the growth of that opulence which may arise from foreign trade.

The provisions of these laws apply, first, to the regulation of the trade with Asia, Africa, and America, and the territories of the grand seignior and the duke of Muscovy. Secondly, to that of the trade with the other states of Europe.

The leading principle in reference to the former is that no goods, the produce of Asia, Africa, and America, and the territories specified, shall be imported into this kingdom, but directly from the place of their growth, and exclusively in ships, owned by British subjects, and navigated in a certain proportion by British seamen. To the latter, that goods enumerated coming from different countries of Europe, shall be imported either in ships built in the states of which they are the produce, and owned and navigated by their subjects, or in ships of Great Britain, except from Germany and the Netherlands, which are by name partially excluded. From these last-mentioned countries certain articles are prohibited from being imported into Great Britain, in any ship whatever, under the penalty of confiscation of the ship and cargo.

A just respect for the political wisdom from which the enactment of the navigation law originated, and a sense of the great national advantages derived from them in their effects on the maritime greatness and power of the kingdom have rendered them objects of attachment and veneration to every British subject.

Nor can your Committee suppose that any suggestions they may offer, can lead to a suspicion of their being disposed to recommend an abandonment of the policy from which they emanated; or to advise, in favour of the extension of commerce, a remission of that protecting vigilance under which the shipping and navigation of the kingdom have so eminently grown and flourished. The only question which, on this subject, they have entertained, is, whether the advantages hitherto enjoyed by our shipping might not be compatible with increased facilities afforded to trade, and its relief from some of the restrictions which the provisions of these laws impose upon it. They are convinced, that every restriction on the freedom of commerce is in itself an evil, to be justified only by some adequate political expediency: and that every facility that can be extended to it is a benefit to the public interest, as leading, amidst the incalculable changes and accidents occurring in the circumstances of nations, and of society, to the certain consequence of laying open new means of exertion to mercantile ingenuity and enterprise, and disclosing to commerce new sources of eventful advantage, far beyond the power of human foresight distinctly to appreciate.

This being the admitted principle, it must be regarded as subject to all the precaution in its application which interests embarked under the faith of existing laws, and a due consideration of the difficulties attending an extensive change in a long established, though defective system, ought prudentially to inspire.

The prohibition contained in

the act of the 13th and 14th of Charles II, c. 11, in respect to Germany and the Netherlands, was the first direct object of your Committee's examination, with a view of ascertaining whether the distinction, applying to those parts of Europe, might not be safely and usefully abrogated. The purpose for which it was originally enacted has long been fulfilled; and from the evidence of the gentlemen examined, touching the different interests which such an alteration might affect, your Committee are of opinion, that certain benefit, without any probable chance of injury, would result from it, both to the commerce and shipping of the united kingdom. Your Committee beg to refer to the examinations of Mr. Frewin, Mr. Buckle, Mr. Lyall, Mr. Bowden, Mr. Hall, Mr. Nicholl, &c., on this subject. A doubt appeared to be entertained by the first of these gentlemen as to a possibility that the alteration in question might be attended with some trifling diminution of the revenue; and by others, that it might produce some prejudice to the British shipping employed in the commerce of the Mediterranean.

With respect to the first point, it is to be observed, that no diminution of revenue could arise, unless from importations taking place in British shipping which had hitherto been made in foreign vessels, and the reduced rate of duty in consequence to be received; as, however, this contingency involves in it a certain compensation in the increased employment of British shipping, your Committee do not consider it as a material objection to an alteration in other views appear-

ing to be desirable. In respect to the remaining objection, that it was possible the trade might be conducted through the medium of cheap Greek and Genoese shipping; and the merchandize of the Mediterranean be thus carried to the neighbouring ports of Holland or the Netherlands, for trans-shipment and conveyance to the united kingdom in British vessels; it is an apprehension in which, for reasons to be stated in a subsequent part of their report (applicable to these as well as other ships of a cheap description), your Committee cannot participate, or be induced by it to entertain any greater doubt of the commercial safety and convenience, than of the political justice and utility of placing our commercial intercourse with every European state in amity with Great Britain on a footing of equal facility and freedom.

Having satisfied themselves on the expediency of permitting the importation into the united kingdom, in British ships, of articles the growth or produce of European states, from any European port, without reference to the place of their growth or production; the next subject which engaged the consideration of your Committee, was the extension of the same latitude in produce of Asia, Africa, and America, to which the restrictions of the act of the 12th of Charles II have been stated principally to apply.

The evidence adduced before your Committee, on this point, is more at variance than that on the point before adverted to. Although it cannot be denied that every additional degree of freedom is generally beneficial to

commerce, and no alarm seemed to be entertained by merchants engaged in general trade who were examined, in respect to the probable effects of such a relaxation of the law on the navigation of Great Britain; yet those whose interests were more exclusively connected with British shipping, expressed considerable alarm lest the proposed alteration should be followed by a change in the existing course of trade, by which their interests might be eventually affected; and represented that if any benefit accrued to commerce by the increased facility afforded, it might be chiefly to the commerce of foreigners; and that the participation of British shipping in the conveyance of the produce of the distant parts of the world might be confined to the transport from the ports of the continent to those of the united kingdom, while the more valuable and extended navigation devolved upon the shipping of foreign states. Your Committee have felt the importance of this representation, and examined it with the attention it appeared to deserve. They are conscious that the commercial results they sanguinely anticipate from the establishment of a system more enlarged and liberal than that under which the British trade has been hitherto conducted (of which this relaxation of the navigation laws forms a part) could be deemed a satisfactory compensation for any serious hazard to which the interests of our shipping might be exposed; but they have found no reason to believe, that the probable consequences of adopting the measure under consideration would be, to incur the danger described, or to trans-

fer to foreigners any of the advantages now possessed by British ships.

In proceeding to state the grounds of this impression, your Committee are desirous of recalling to the recollection of the House, that the laws in question have been subjected to alteration at different periods, and their principle relaxed whenever a new state of political circumstances appeared to Parliament to afford sufficient reasons for such a change. Under the regulations which the king in council was authorised to make, by the 23rd of George III, cap. 39, and subsequently by the 49th of George III, cap. 59, followed recently by the 59th of George III, cap. 54, the manufactures and produce of the United States of America have been admitted into the united kingdom, not only in British ships, but in ships of the United States, or condemned as prize to them, and owned and navigated by their subjects. By the 51st also of the late king, a similar relaxation of the law was made in favour of the produce and manufactures of the territories of the crown of Portugal in America, during the continuance of the treaty concluded with that power in the year 1810: the latter arising out of the changes that had taken place in the political situation of the Brazils; as the former did out of the national character acquired by the United States of America, by their separation from Great Britain.

Both these relaxations may be said to have been a diminution of the protection afforded by the navigation law to British shipping; but a diminution which political considerations demand-

ed, and which was indispensable to the continuance of our commercial relations with those countries.

The navigation laws have been also relaxed in regard to the trade between the British colonies and the mother country, as well as in several instances with respect to particular articles of merchandize, which your Committee do not think it necessary here particularly to enumerate.

The principle of restriction laid down in these laws having been relaxed from these considerations of political or commercial expediency, it will be for the wisdom of the House to judge whether the same considerations may not lead to a further relaxation of it, and authorize the withdrawing of a restriction which, if not essential to the support of our shipping, is maintained not only unprofitably but injuriously to ourselves, as embarrassing the operations of our merchants, and contributing to the jealous and hostile feelings with which the prohibitory character of our commercial system has long been contemplated by foreign nations.

The danger stated in the evidence to be apprehended seems chiefly to rest on the cheapness of foreign ships compared with those of the united kingdom, particularly the ships of the northern states of Europe, where labour, wages, and the materials of building and equipment, are at a rate much lower than in Great Britain. If the question was to be determined by the comparative cheapness of the ship alone, this fact would be conclusive; but it appears to your Committee that other considerations must have

their share in deciding the preference likely to be given to the foreign ship, the effects of which, as detailed in the evidence of Mr. Buckle, appears to your Committee sufficient to balance the admitted cheapness of foreign construction and equipment.

The importation of the produce of Asia, Africa, and America, into the united kingdom, excepting the territories of Portugal and the United States, under the proposed alteration, is still reserved exclusively to British shipping, which infers the necessity of a previous importation into the continent, if it should be brought to Europe by foreign ships. The difference between a direct and circuitous voyage, in the expenses and delays attending the entrance into, and trans-shipment of goods in, a foreign port, and a second voyage to be performed in a British ship; the increased time (estimated at one-fifth) required for the performance of a distant voyage in a foreign ship beyond that required in a British one; the difference in point of security, and consequent increased charge of insurance on the cargo, appear to your Committee to attach a disadvantage to the employment of the foreign ship, fully equivalent to the difference of the rate of freight, as stated in favour of the cheaper ships of certain European states; and indeed it is repeatedly admitted, that wherever British ships are to be obtained, to them the preference (except under special circumstances) is universally given.

[NOT OFFICIAL.]

Circular Letter from the Pope to the Irish Prelates, on the Subject of Bible Schools.

[TRANSLATION.]

Rome, Court of the Sacred Congregation for the Propagation of the Faith, Sept. 18, 1819.

My Lord—The prediction of our Lord Jesus Christ, in the parable of the sower, that “sowed good seed in his field; but, while people slept, his enemy came, and sowed tares upon the wheat,” Mat. xvi. 24, is, to the very great injury, indeed, of the Catholic Faith, seen verified in these our own days, particularly in Ireland. For information has reached the ears of the sacred congregation, that Bible schools, supported by the funds of the Catholics, have been established in almost every part of Ireland, in which, under the pretence of charity, the inexperienced of both sexes, but particularly peasants and paupers, are allured by the blandishments, and even gifts of the masters, and infected with the fatal poison of depraved doctrines. It is further stated, that the directors of these schools are, generally speaking, Methodists, who introduce Bibles, translated into English by “the Bible Society,” and abounding in errors; with the sole view of seducing the youth; and entirely eradicating from their minds the truths of the orthodox faith.

Under these circumstances, your lordship already perceives with what solicitude and attention pastors are bound to watch and carefully protect their flock

from the "snares of wolves, who come in the clothing of sheep." If the pastors sleep, the enemy will quickly creep in by stealth, and sow the tares; soon will the tares be seen growing among the wheat, and choak it.

Every possible exertion must, therefore, be made to keep the youth away from these destructive schools; to warn parents against suffering their children, on any account whatever, to be led into error. But, for the purpose of escaping the "snares" of the adversaries, no plan seems more appropriate than that of establishing schools, wherein salutary instructions may be imparted to paupers and illiterate country persons.

In the name, then, of the bowels (of the mercy) of our Lord Jesus Christ, we exhort and beseech your Lordship to guard your flock with diligence and all due discretion from those who are in the habit of thrusting themselves insidiously into the fold of Christ, in order thereby to lead the unwary sheep astray: and mindful of the forewarning of Peter the Apostle, given in these words, viz.—"There shall be also lying masters among you, who shall bring in sects of perdition," 2 Pet. ii. 8. Do you labour with all your might, to keep the orthodox youth from being corrupted by them—an object which will, I hope, be easily affected by the establishing of Catholic schools throughout your diocese. And, confidently trusting, that in a matter of such vast importance, your lordship will, with unbounded zeal, endeavour to prevent the wheat from being choaked by the tares, I pray the all-good and omnipo-

tent God to guard and preserve you safe many years.

Your Lordship's

Most obedient

Humble Servant,

F. CARDINAL FONTANA, Prefect.
C. M. PEDICINI, Secretary.

ADDRESS OF THE IRISH CATHOLICS TO THE KING.

The following address was presented to his majesty, at his levee on Wednesday, the 10th of May, by the earl of Fingall:

To the King's Most Excellent Majesty.

The humble and dutiful address of his majesty's subjects, professing the Roman Catholic Religion in Ireland.

We the undersigned, your majesty's dutiful and loyal subjects, the Roman Catholics of Ireland, beg leave to approach your majesty with sentiments of the most profound respect and veneration, to offer to your majesty our sincere condolence on the late melancholy event; an event which has deprived your majesty of your royal father, this empire of a beloved sovereign, and your majesty's Roman Catholic subjects of a generous protector, under whose reign they have derived important benefits, of which they will never cease to entertain a grateful recollection. But amidst the sad feelings which the late national calamity inspires, we find consolation in the reflection that our late deservedly lamented sovereign has been succeeded by a prince of the same illustrious house. We, therefore, humbly entreat that your majesty will be graciously pleased to receive our congratulations on your majesty's accession to the throne of this realm, to accept the expression

of our fidelity and allegiance, and to allow us to assure your majesty, that no class of your majesty's subjects shall evince greater zeal in support of the principles of our invaluable constitution, or a more steady attachment to your majesty's sacred person, and the illustrious house of Brunswick, than the Roman Catholics of Ireland.

The following letter has been received by Mr. O'Gorman from lord Fingall.

6, Seymour-place,
Thursday, May, 11, 1820.

Dear Sir; I have the honour to inform you, and must beg you to communicate, that I had yesterday, at the levee, as it had

been appointed for me to have the honour of doing, that of presenting to his majesty, our most gracious sovereign, the address of condolence and congratulation, which was some time ago agreed on, at an aggregate meeting in Dublin of the Catholics of Ireland, and which I was deputed to have the honour of presenting to his majesty.

His majesty was pleased to receive this address in the most gracious manner.

I have the honour to be, dear sir, with much esteem and regard, your humble and obedient servant,

FINGALL.

Nicholas Purcell O'Gorman, esq.
&c. &c. &c.

PUBLIC GENERAL ACTS,

Passed in the First Session of the Seventh Parliament of the United Kingdom of Great Britain and Ireland.—1 GEO. IV. A. D. 1820.

JUNE 6.

Chap. 1.--For the support of his majesty's household, &c.

2. To enable his majesty to be governor of the South Sea Co.

3. For the removal of doubts as to the continuance of the insolvent debtors acts in England.

4. For punishing misconduct in drivers of stage coaches.

5. To enable courts of equity in Ireland to compel a transfer of stock in suits.

6. To render more effectual an act of 55 Geo. 3, for enabling spiritual persons to exchange their parsonage houses or glebe lands.

7. To dispense with certain bonds, and the taking of certain oaths in matters relating to the

customs, and to prevent fees being offered or given.

JUNE 22.

8. To allow a drawback on goods imported into any British colony in America, or the exportation thereof wheresoever they may be legally exported.

9. For granting the privileges of British ships to vessels built at Malta, Gibraltar, and Heligoland, and in the British settlements at Honduras.

10. For applying certain monies.

11. To continue until July 5, 1825, an act of 57 Geo. 3rd, for regulating the trade of the Cape of Good Hope and the island of Mauritius.

12. To extend several acts for

allowing importation and exportation to Morant Bay, Jamaica.

13. For funding Exchequer bills to a certain amount, and for raising a sum of money by way of annuities.

14. To repeal the drawback on certain gold articles exported; and to permit the exportation of cordage, entitled to bounty, free from right of pre-emption by the commissioners of the navy.

15. An act to continue until July 25, 1821, an act of the 28 Geo. 3rd, for the encouragement of the manufacture of flax and cotton in Great Britain.

16. To continue until July 25, 1821, an act of the 59 Geo. 3rd, with regard to crown glass and flint and phial glass, and to alter certain laws with regard to flint glass.

17. For raising the sum of five millions by way of annuities.

18. For continuing until the 25th of March, 1822, an act of the 58 Geo. 3rd, for preventing aliens from becoming naturalized, except in certain cases.

19. For punishing mutiny and desertion.

JUNE 23.

20. For regulating the marine forces on shore.

21. To enable the chief-justice of the King's-bench, or another judge to try issues at Nisi Prius elsewhere than in Westminster-hall.

JUNE 30.

22. For raising a loan of twelve millions from the commissioners of the national debt.

23. To provide for the addition to the public funded debt.

24. To amend and continue, until the 28th June, 1824, the act

52 Geo. 3rd, for watching and warding.

25. To repeal part of an act 9th Geo. 2nd, relative to the manufacture of sail cloth.

26. For the encouragement of the coasting trade of Ireland.

27. To regulate the office of clerk of the peace in Ireland.

28. To repeal an act, 50 Geo. 3rd, for regulating the fees of coroners in Ireland.

29. To enlarge the powers of the governors of the Foundling-hospital, Dublin.

30. For relieving Ewart Rutson and company of Liverpool from bonds granted for duties on certain spirits accidentally destroyed.

JULY 8.

31. For raising the sum of twenty-nine millions by Exchequer bills.

32. To permit the importation of coffee into the port of Bridgetown in Barbadoes.

33. An act to amend and continue, until the 31st Dec. 1823, several laws relating to the Greenland whale fisheries.

34. For further continuing, until the 1st Jan. 1826, so much of an act 56 Geo. 3rd, as permits subjects of the king of the Netherlands to import and export certain articles to and from the colonies of Demerara, Berbice, and Essequibo, in ships not built in his dominions.

35. For the better securing monies and effects paid into the court of Exchequer at Westminster, the appointment of an accountant general and two masters of the said court.

36. For allowing appeals from towns corporate and franchises, in certain cases, to the general or quarter sessions.

37. To increase the power of magistrates in the appointment of special constables.

38. For fixing the rates of subsistence on quartering soldiers.

39. An act for the assistance of trade and manufactures in Ireland.

40. To amend and explain an Irish act, 39 Geo. 3rd, to enable certain persons to recover a just compensation for the tithes withheld from them in the years 1797 and 1798.

41. To extend the benefit of two Irish local acts, 56 & 58 Geo. 3rd, respecting the recovery of tenements.

42. To authorize a composition for the debt remaining due from the late Abraham Goldsmid.

JULY 15.

43. To amend the laws relating to smuggling, and the coasting trade in Great Britain.

44. To continue, until the 5th July, 1821, an act of 59 Geo. 3rd, for regulating the consolidated fund.

45. To continue certain internal duties on several articles, the manufacture of Great Britain or Ireland respectively, on their mutual importation.

46. For raising the sum of one million five hundred thousand pounds by treasury bills in Ireland.

47. To revive and to continue for two years, and from thence until the end of the then next session of parliament, two acts, made in the 47th and 50th Geo. 3rd, for preventing improper persons from having arms in Ireland.

48. To revive and continue for two years, and from thence until the end of the then next session,

the laws relating to yeomanry in Ireland.

49. To amend the laws relating to the House of Industry in Dublin.

50. To carry into effect certain licences, permitting the removal of negro slaves from the Bahama islands to Demerara.

51. To regulate the rebuilding of the town of Saint John's in Newfoundland.

52. To continue, until the 25th of March, 1821, an act made in the 46 Geo. 3rd, for permitting the importation of masts, &c. from the British colonies in North America.

53. To continue, until 25th March, 1821, so much of an act of the 59th Geo. 3rd, as allows Santa Maria wood and Teake wood to be imported free of duty.

54. To continue, until the 1st Aug. 1825, two acts, 45 & 50th Geo. 3rd, allowing the bringing of coals, &c. to London by inland navigation.

55. For giving further facilities to the proceedings in the court of King's-bench, and certain powers to justices of assize.

56. For the summary punishment of persons wilfully or maliciously damaging public or private property.

57. To repeal an act, 37 Geo. 3rd, intituled "An Act to abolish the Punishment of public Whipping on Female Offenders," and to make further provisions in lieu thereof.

58. For the better securing the excise duties on paper and pasteboard.

59. To amend and continue, until the 25th of March, 1825, an act, 52 Geo. 3rd, for regulating the separation of damaged from sound coffee, and for per-

mitting dealers to send out, not exceeding eight pounds weight of coffee without permit.

60. To amend, extend, and continue two acts, 57 Geo. 3rd, for authorizing the issue of Exchequer bills, for carrying on of public works and fisheries, and employment of the poor.

61. To charge additional duties on the importation of certain articles into the Isle of Man.

62. To continue, until the 1st Jan. 1822, an act of the 59 Geo. 3rd, for staying proceedings against persons concerned in levying duties in New South Wales.

63. To continue until July 5, 1822, an act of the 29 Geo. 2nd, for granting a bounty on certain species of British and Irish linens; and for taking off the duties on foreign raw linen yarns made of flax.

64. To continue, until July 5, 1824, an act 58 Geo. 3rd, to repeal the several bounties on the exportation of refined sugar from the united kingdom, and to allow other bounties in lieu thereof; and to reduce the sugar packages.

65. To continue, until 30th July, 1821, an act of the 54 Geo. 3rd, for the examination of the accounts of the revenues of Ceylon, Mauritius, Malta, Trinidad, and in the settlements of the Cape of Good Hope.

66. To continue, until the end of the next session, two acts of the 54 Geo. 3rd, for the more effectual administration of the office of a justice of the peace in and near the metropolis, and for the prevention of depredations on the river Thames.

67. To continue, until the 1st August, 1822, the low duties on

coals and culm carried coastwise on the coast of Wales.

68. For the better administration of Justice in the Exchequer chamber in Ireland.

69. To alter and amend an act 56 Geo. 3rd, for erecting a harbour to the eastward of Dunleary, near Dublin; and for the erection of a western pier to the said harbour.

70. For improving the roads between London and Chirk.

71. To enlarge the time and powers for carrying the New Street act into execution; and to extend the provisions of an act, for ratifying an agreement made with lord Gage, and for the better management and improvement of the land revenues.

72. For a sum of money to be raised by lotteries.

JULY 24.

73. To extend the period allowed to persons compounding for their assessed taxes, and to give further relief.

74. To grant certain duties, in Scotland, upon wash and spirits made from corn or grain, and upon licences for making and keeping of stills; with other regulations.

75. For charging excise on certain sorts of unmanufactured tobacco imported.

76. To repeal so much of an act of the fifty-seventh year of his late majesty, as prohibits the sale in England of certain spirits.

77. To continue, until the 5th July, 1825, several acts for regulating the trade in spirits between Great Britain and Ireland reciprocally, to consolidate the countervailing excise duties.

78. To reduce the duties payable upon licences for the sale of spirituous and other liquors by retail in certain places in Ireland;

and to amend the several excise licence acts.

79. For making certain allowances to licensed brewers in Ireland.

80. To regulate the permitting of sugar in Ireland.

81. To amend several acts 57 and 58 Geo. 3rd, for the advance of money for carrying on public works, in Ireland.

82. To amend an act 59 Geo. 3rd, for the encouragement of the Irish fisheries.

83. To amend two acts 57 and 58 Geo. 3rd, for the encouragement of banks for savings.

84. To regulate the payment of army prize money.

85. To make further provisions respecting naval prize money.

86. To defray the charge of the disembodied militia in Great Britain; and to grant allowances in certain cases, until the 25th of March, 1821.

87. For enabling landlords more speedily to recover possession of tenements.

88. To continue, until the 3rd of Jan. 1824, an act of 57 Geo. 3rd, for letting to farm the post-horse duties.

89. For imposing additional duties on letters between Port Patrick and Donaghadee.

90. To remove doubts, and to remedy defects, in the law, with respect to certain offences committed upon the sea.

91. To authorize the paymasters of marines to issue pay, to the representatives of deceased officers and private men, without probate or administration.

92. For the further prevention of forging and counterfeiting of bank notes.

93. To amend divers acts, for securing to certain artificers,

workmen and labourers, the due payment of their wages.

94. For taking an account of the population of Great Britain.

95. For obtaining returns from turnpike road trusts.

96. For defraying, until the 25th of June, 1821, the charge of the militia of Ireland; and for making certain allowances.

97. To continue, for one year, Irish insolvent debtors acts.

98. To amend an act 57 Geo. 3rd, for the establishment of asylums for the lunatic poor in Ireland.

99. To enable the East India Company to raise a corps of volunteer infantry.

100. For amending and consolidating two acts, 36 and 39 Geo. 3rd, for regulating the militia of the city of London.

101. To enable the examination of witnesses to be taken in India in cases of adultery.

102. For making general an act 46 Geo. 3rd, for removing difficulties in the conviction of offenders in mines.

103. For the encouragement of the British fisheries.

104. To defray the charge of a certain barrack by an annuity on the consolidated fund.

105. To continue, for two years, an act 56 Geo. 3rd, respecting aliens in certain cases.

106. To enable chaplains in the navy, presented to Simonburn, Wark, Bellingham, Thorneyburn, Fallstone or Greystead, Northumberland, to receive their half-pay; and for other purposes.

107. For appropriating to the use of the master of the Rolls, the rents of the Rolls estate, and the dividends from the surplus of that estate.

108. To settle annuities upon certain branches of the royal family, in lieu of annuities which have ceased upon the demise of his late majesty.

109. To enable his majesty to grant pensions to officers and attendants upon his late majesty.

110. To enable the commissioners of his majesty's treasury to issue exchequer bills, on the credit of the year 1820.

111. For applying certain monies and appropriating the supplies granted.

112. For completing the harbour of Port Patrick.

113. For granting money towards improving the harbour of Donaghadee.

114. An act for enabling William Blackall Simonds, esquire, to sell or mortgage his estate and interest in the impropriate rectory of Caversham, in the county of Oxford, free from the claims of the crown.

115. An act to repeal so much of the several acts passed in the thirty-ninth year of the reign of Elizabeth, the fourth of George the first, the fifth and eighth of George the second, as inflicts capital punishment on certain offences therein specified.

116. To repeal so much of

the several acts passed in the first and second years of the reign of Philip and Mary, the eighteenth of Charles the Second, the ninth of George the first, and the twelfth of George the second, as inflicts capital punishment on certain offences therein specified.

117. To repeal so much of an act passed in the tenth and eleventh years of king William the third, intituled, An Act for the better apprehending, prosecuting, and punishing of felons that commit burglary, housebreaking, or robbery, in shops, warehouses, coach-houses, or stables, or that steal horses,—as takes away the benefit of clergy from persons privately stealing in any shop, warehouse, coach-house or stable, any goods, wares or merchandizes of the value of five shillings; and for more effectually preventing the crime of stealing privately in shops, warehouses, coach-houses or stables.

118. An act for reducing, until July 5th, 1822, the duty on malt made from bear or bigg only, for home consumption in Scotland.

119. An act for the relief of insolvent debtors in England; to continue in force until June 1st, 1825.

FOREIGN DOCUMENTS.

SPANISH PAPERS.

Manifesto of the King to the Nation.

“Spaniards! After your heroic efforts had released me from the imprisonment in which I had been detained by the most unheard-of treachery—when I again trod the soil of my country, every thing concurred to assure me that the establishment of the preceding form of government was the public desire, and I was therefore determined by what seemed to me the universal sentiment of a magnanimous nation, which having just subdued a foreign enemy, wisely deprecated the dangers of internal discord, still more calamitous than foreign war.

“I could not, however, conceal from myself, that the rapid civilization of Europe—the universal diffusion of knowledge among classes the least elevated—the frequent communication between all parts of the globe, and the astonishing events reserved for our age, have created ideas and desires unknown to our ancestors, from which result new and imperious wants. I was not ignorant that it was necessary to conform to these elements in order to ensure that harmony between the people and the laws, which is the only sure foundation of the national tranquillity. While I was, however, maturely considering with all the solicitude of a truly paternal heart, the changes of our fundamental institutions which

would be most suitable to the national character, most accordant to the actual state of the different parts of the Spanish monarchy, and most analogous to the establishments of other enlightened nations; you have made known your wish for the restoration of that constitution which was promulgated in the year 1812, at Cadiz, amidst the din of hostile arms, at the moment when, to the astonishment of the universe, you were fighting for the liberties of your country. I have heard your voice, and, as a tender father, I have consented to that which my children think most conducive to their happiness. I have sworn to observe the constitution called for by your desire, and I shall be ever found its most firm supporter. I have already adopted the most effectual measures for the convocation of the Cortes; and in its bosom united with your representatives, I shall rejoice to co-operate in the great work of national prosperity.

“Spaniards! Your glory is the only object of which my heart is ambitious. The only desire of my soul is to see my throne surrounded by a nation of united, happy, and contented Spaniards.

“Confide, then, in your king, who, in your present circumstances, speaks to you openly and warmly from his heart, and with a solemn impression of the duties which Providence imposes on him. From this day forward your

welfare depends in a great degree upon yourselves. Be not seduced by the deceitful appearances of an ideal good which too frequently stand in the way of real blessings. Restrain that exaltation of the passions which so often transforms into enemies men who ought to live like brethren. United as well in sentiment as you are in religion and language, repel those perfidious insinuations which your enemies address to you as flattery. Let us walk frankly (myself the first) in the road of the constitution, and let us display to Europe a model of wisdom, order, and moderation, at a season distinguished by the tears and calamities of other countries. Let us teach them to revere and admire the Spanish name; at the same time that we lay the foundation of a glory and happiness which shall last for ages.

(Signed) "FERDINAND.

" Given at the Palace,
March 10."

Decree abolishing the Inquisition.

" Considering that the tribunal of the Inquisition is incompatible with the constitution of the Spanish monarchy promulgated at Cadiz in 1812, and that on that account the Cortes suppressed it by decree of the 22nd of February, 1813; after mature and long reflection, and advising with the Junta established by my decree of this day, and in conformity with its opinion, I have ordered that this tribunal shall be suppressed throughout the monarchy, and by consequence, the Council of the Supreme Inquisition; and that all persons who may be found in its prisons, for political or religious opinions, shall instantly be set at liberty, referring to the

reverend bishops the cognizance of the latter causes, in their respective dioceses, in order that they may inquire into the same, and decide thereon, conforming exactly to the aforesaid decree of the Extraordinary Cortes.

" At the Palace,
this 9th March, 1820."

Order for the Election of Municipal Authorities.

" In order that the constitutional system, which I have adopted and sworn to, may have the rapid and uniform progress which it ought to have, I have resolved, after having advised with the provisional Junta, and, in conformity with its advice, that in all the towns of the monarchy the election shall immediately be proceeded in of alcades, and of all the constitutional authorities, conformably to the rules established by the political constitution sanctioned at Cadiz, and to the decrees which fix the form of these elections and the measures to be taken to complete them.

(Countersigned)

" A. D. J. GARCIA DE LA TORRE."

" At the Palace,
the 9th of March, 1820."

Proclamation of the Provisional Junta.

" Citizens;—The liberty of the press is re-established; it is one of the first measures which his majesty, in concurrence with the present Junta, has judged necessary, in order to establish constitutional order. The Junta, in announcing to you the re-establishment of this ægis of civil liberty, cannot refrain from congratulating you upon it, and appealing to your glory to make a worthy use of it. May this right

contribute to the propagation of knowledge and of virtue; but never may it be abused to gratify individual animosities. Have the wisdom to employ it so as to make the government anticipate in the benefit of your intelligence and your labours, in a manner consistent with the respect which is due to the intentions of government, and with that equality of rights required between man and man. It is thus, that after having given to the world the first example of the maintenance of order and virtue in political revolutions, you will also give them the first example of moderation in the exercise of a right which no nation has hitherto learnt to enjoy without excess.

“ Given at the Chamber of the Junta, 10th March, 1820.”

[The signatures follow.]

Circular of the Minister of Justice.

The king has this day sent me the following decree :—

“ Desirous of proving how much I anxiously desire that the noble Spanish people should from this day enjoy the benefits which the constitution of the monarchy accords, as sanctioned by the Cortes and sworn to by me, I have declared, by the advice of the Junta named by my decree of the ninth of this month, that, dating from this day, all the dispositions which it contains shall have full and entire effect, and particularly those which relate to personal safety and the liberty of the press.

“ In consequence, the Juntas of Censorship which existed in 1814, as well in the Peninsula as in the provinces beyond seas, shall be immediately re-established and

composed of the same individuals as at that epoch, until the Cortes, to whom the power belongs, shall confirm them or proceed to new nominations.

“ March 11, 1820.”

Proclamation of the Provisional Junta of Government.

“ Citizens--Immediately on their installation, the Provisional Junta has followed, without hesitation, the course which was dictated by the confidence with which the people had clothed it, and the most signal attachment of all the members who compose it to the constitutional charter—a document in which are consecrated, to be never violated, the rights of the heroic Spanish nation, and of the constitutional throne which is destined to raise it to that high degree of glory which is reserved for it. As inimical to flattery and interest as exempt from timidity and weakness, the Junta has sent forth no opinion in which either the rights of the throne or those of the people are violated; it will follow this system so long as it exists, with that tranquillity which the testimony of his own conscience gives to a just man.

The Junta has seen, with satisfaction, within a few days, the constitutional system established in all the branches of the administrative and judiciary system of the capital of the monarchy: it has seen measures taken to establish the same system throughout all Spain, in execution of the decrees issued by the king, by the advice of the Junta. This first step having been taken, the political liberty of the press has been established, the tribunal of the Inquisition has been abolished,

the property restored to the administration of the public debt, this branch separated from the general treasury, and the directors appointed by the Cortes called to the performance of their duties; the re-establishment of the council of state has been effected, and the worthy men who had been driven from it have been recalled; the Chamber of Accounts has been organised, and the Junta has recognised the necessity of choosing for all offices virtuous men devoted to the charter. Many other important works have been undertaken, and in short the difficulties which opposed a sudden and quiet establishment of the constitutional system have been as much softened as human prudence could permit; but what has exclusively demanded the attention of the Junta, is the laborious and dangerous task of preparing the convocation of the Cortes, which must form the ægis of liberty, and impose an eternal silence on passions and contrariety of opinions.

“ But, citizens, how many difficult and thorny questions have presented themselves to the Junta on examining this important matter, which would have been simple if the constitutional system had experienced no alterations, but which becomes so complicated when it is necessary to create even the bases of it. The Junta has been obliged to treat these grave questions without having time to consult the learned men and the writers who could have thrown light upon them. Supported by its slender information, it has given to the king those counsels which its love to the charter and its own con-

science dictated, in order that at least the spirit of this precious code might be followed, if it was impossible to adhere to the letter of it in some points. These labours, which can only be considered as the fruit of the purest attachment to the constitution, of the most sincere desire of succeeding, and of the inspirations of a clear constitution, unbiassed by personal views, have been presented to the ministry for his majesty's examination, and the Junta has the satisfaction to announce, that it has just officially learned the approbation of his majesty. It consequently is already occupied in drawing up the regulation for the convocation of the Cortes, which, in circulating throughout the nation, will diffuse the balm of confidence, and show the path of glory and prosperity in which it must hereafter walk. It is then, well-beloved citizens, that the Junta will, with the openness and good faith which characterise those who compose it, manifest to the nation the foundation on which it rests its opinion, and the painful alternative in which it found itself as to the choice of the means which presented the fewest inconveniences.

“ Meantime, full of confidence in your love for order, in your adherence to the charter, and in those singular virtues which distinguish you from all nations, the Junta holds itself obliged on this great day, the anniversary of the constitution, and that on which that precious code, the depository of the general will, is to be published, to warn you that the impatience which is excited by great events, when it does not depart from the bounds of reason

and prudence, is the best indication of the constancy of general resolutions and the firmness of principles; but when carried to excess and agitated by unreflecting minds, impatience becomes a powerful weapon in the hand of malevolent cunning, to disunite opinion, to excite fears and jealousy, which in all political changes are the origin of calamities, because they keep the public in a continual agitation, which weary out good men, and drive them to abandon the helm of the state, to the irreparable misfortune of their country.

“The establishment of a new system on the ruins of one that has fallen, is the greatest, the most difficult, and laborious operation which is known to man. It exhausts all the resources of human understanding and prudence; it exercises and elevates the social virtues. The history of all revolutions and the example of France should render you prudent, and moderate your impatience; they will show you that every revolution which impatience would terminate in a day, has caused tears to flow for ages; and that, on the contrary, the quiet and constant movement of new institutions consolidates instead of destroying. We may compare the one to the results of the stormy inundation of a torrent, which sweeps every thing away, and the other to the majestic and beneficent swelling of the Nile, which fertilizes every thing, and destroys nothing.

“Citizens! Let us follow our sublime impulse with the order and tranquillity hitherto observed, to render us the objects of the admiration and respect of Eu-

rope, and to show how well we deserve our liberty.

(Signed)

“LOUIS DE BOURBON.

“Cardinal de la SCALA,
Archbishop of Toledo,
President.”

(And the other Members of
the Junta.)

“Madrid, March 19, 1820.”

*Official Dispatch from General
O'Donoju, Captain General of
Andalusia, to the Minister of
War.*

“I have received the king's orders of the 20th inst., which your excellency was pleased to communicate to me in a dispatch of the same day. I beg your excellency to assure his majesty, that I shall endeavour with all zeal to carry into execution all that they prescribe. The paternal intentions of his majesty shall be fulfilled, and I shall exert myself to deserve the confidence with which he honours me. Happily I may flatter myself with finding the inhabitants of Cadiz well disposed. If there were some indocile spirits blind to their own interests and those of their country, all my efforts shall be directed to lead them back to their duty. Your excellency may promise his majesty beforehand that good order and tranquillity will soon be restored. His majesty will soon have the consolation of learning this result officially.

“I have the satisfaction to announce, that the accounts which I have received, although not official, are certain, and they inform me that the constitutional oath was taken at Cadiz with becoming solemnity, and celebrated by rejoicings on the 21st.

“The people of Cadiz are ge-

nerous; they will forget their misfortunes, and there is no longer any dread that the catastrophe of the 10th will be renewed. I am not yet in regular correspondence with the chiefs of the army. I am ignorant of the particular position of these chiefs; but all reports are satisfactory. Every where the public spirit is such as could be desired. If discipline has suffered, it will be instantly re-established. I shall set out the day after to-morrow for Port St. Mary's and Cadiz. After having reviewed the troops, I shall make haste to communicate to your excellency whatever may appear to deserve your attention,

(Signed)

“JUAN O'DONOJU.

“Seville, March 23.”

Preface to the Note of the Russian Cabinet on the Affairs of Spain. As given by the French Papers.

When the troops of Napoleon Buonaparte arrived at Seville, in January, 1810, the Central Junta, that assembly formed under the name and authority of Ferdinand 7th, then the prisoner of the usurper, was dissolved. There no longer remained any other asylum for Spanish independence than the city of Cadiz. Some faithful Spaniards fled thither, and these noble defenders of Old Spain, proudly intrenched in a little peninsula, on the boundaries of the kingdom, called Europe to the assistance of their country.

These legitimate representatives of the Spanish monarchy were few in number, and were the authorized agents of only a small portion of the provinces. With the design of representing

the monarchy completely in the eyes of the powers whose assistance they invoked, a singular delicacy suggested to them the idea of uniting to their body as many individuals as would make their number equal to that of the members of the ancient Spanish Junta. For this purpose incorrect lists were precipitately drawn up of the inhabitants of Cadiz, and of those of the other provinces who happened to be in that city at the time, and persons found themselves elected deputies from a province only because they belonged to it. The American states were represented in a still more preposterous and illegal manner; for amongst the provinces for whom deputies were appointed were included those which were in open revolt against the king's government.

Such an assembly did not represent in any manner the Spanish monarchy. All that it did, in order to free the country from a foreign yoke, ought, without doubt, to be duly acknowledged, and its heroic efforts secured to it, in anticipation, the esteem of nations: but there its power was limited. It obtained powerful assistance from the sovereigns of Europe, but the object of this support was only the re-establishment of the legitimate government. It was lawful for this assembly to deliver Spain, but not to govern it. The present was all that it could direct, but nothing authorized it to prescribe to the nation conditions for the future.

The irregular composition of this junta produced a deplorable result. The real representatives of Spain found themselves in a minority, and the adventurers of

all sorts, collected together in order to complete this assembly, knew how to turn to their advantage the unfortunate circumstances of the country.

On the morning of Sept. 24, 1811, the assembly was opened, and those who composed it took, without any restriction or condition, the oath of fidelity and obedience to the legitimate king; and the same day, after having recognised and numbered the foreigners called provisionally and without title to concur in the noble work of the restoration of the throne, met again at 11 o'clock in the evening, and declared, by a majority of some voices, that they were the legitimate representatives of Spain, and that the sovereignty resided in them. Thus the genius of revolution quickly made a conquest of this monarchy, which was considered as lost. The genius of revolution never abandons its prey.

As soon as they had usurped this title, the pretended sovereigns of Spain occupied themselves in preparing for the future destruction of all its institutions. Solely because they were legitimate, these institutions naturally became to them objects of abhorrence. They took example from our regenerators of the years 1791 and 1793, and composed an absurd and impracticable code, calculated only to exercise the idle controversy of foolish politicians, and to concentrate in the midst of a circle of intriguers all the power, all the honours, and all the wealth of the state. They decreed political equality—that is to say, centralization—that ferocious hydra which has been preying upon the monarchies of

Europe for a century; which prepares them for the despotism of the sword, and from which Spain had hitherto been preserved by its reverence for ancient traditions, and by the pride of its religious and chivalric manners.

Such is the monstrous origin of the Spanish constitution, formed by some men without delegation, without legal character, and without good faith. The facts that we detail are the exact truth, and have never been disputed. Their exposition is sufficient to show that this pretended constitution is tainted with a radical vice from its origin. It is not the expression of any social vow authentically declared; and were it as perfect as it is ridiculous, nothing advantageous could result from it; and this for a reason that the partisans of revolutions, in their insensibility, cannot comprehend, but which is not the less indisputable—namely, that nothing moral can flow from a corrupted source.

When Ferdinand 7th re-ascended the throne, the constitution of the Cortes was as a thing which had never existed. No one reproached him then for not having adopted it; it was because every one felt that the Spanish people, in rushing to combat in the name of Ferdinand, had never intended to sacrifice their property, or to shed their blood, in order to satisfy the passions of some factious individuals, nor to ensure the triumph of the abstract sophisms of some visionaries. Those even among the Spaniards who had cause to complain of the acts of the king's government since the restoration agreed almost unanimously that this pretended constitution was inapplicable; and while they

wished for a better administration on the part of the king, they never conceived the idea that the work of the adventurers of the Isla could be the means of restoring to Spain the happiness and tranquillity which Europe desired it to possess, and which that noble and unfortunate nation had so well merited by its many generous sacrifices.

We will not here permit ourselves to judge of the conduct and of the errors that have followed the restoration of the king. In such difficult times it would be necessary to suppose sovereigns in the possession of superhuman qualities before we could think ourselves entitled to reproach them. It is sufficient for us to remark, that never did the Spanish people, in the midst of all their desires and complaints, call for this pretended constitution. When the discontented troops raised the standard of revolt in the isle of St. Leon, and perjured themselves, the chief of the rebels sent captain Riego, with a corps of troops, to proceed through Andalusia, in order to sound the disposition of the people. Let any one read the official report of that Corypheus of the conspiracy—it will be seen that every where he was received with imprecations; no where did he find assistance; his two thousand soldiers were pursued and tracked like wild beasts in every place by the citizens and armed peasants; and this corps, reduced to some hundred men, was obliged to disband itself, under the obscurity of night, at the foot of the mountains of Ronda.

The defection of De l'Abisbal on the 5th of March, placed the king at the discretion of the rebels,

whose condemnation he had, the preceding evening, pronounced in the face of all Europe, by sending troops against them. On the 5th his royal will was to subdue them by force; on the 6th his royal will was to acknowledge them as legislators, whose decrees he ought to execute.

Such is the manner in which the new system of government was established in Spain. It is of great importance for Europe to know, what have been, on this subject, the diplomatic opinions pronounced by those powers under whose protection the social state reposes. This is of redoubled importance, since the events at Naples have proved that unpunished revolt is contagious—that fortunate perjury finds imitators—that Italy, and perhaps all Europe, are menaced with the commotion which took place at Madrid on the 6th of March.

It is already known what answers have been given to the communication made by the ambassadors of the revolutionary government of Spain by the cabinets of Paris, London, Vienna, and Berlin. Since the publication of these answers, alarmed Europe turned her attention towards the North. She fixed her eyes upon a monarch whose political and moral ascendancy in the balance of nations is incontestable, whose personal character removes all supposition of any ulterior views founded on the discords of other states, and whose moderation has undergone the strongest of all proofs—that of victory. She awaited with the strongest impatience, the expression of the sentiments of the author of the Holy Alliance, of

that monarchical and Christian treaty, under the protection of which are placed the remains of European civilization, and the hope of good men of all countries. In so grave a situation Europe, in some measure forgot that Alexander was but an individual sovereign, in order to consider him as the chief of the religious sentiment which dictated the act of the confederation of Christian Princes.

Political considerations which we cannot and must not appreciate, and the motives of which we are far from blaming, have hitherto prevented the publication in the French Journals of the declaration of the emperor of Russia on the subject of the events in Spain.

This important document has, however, appeared in the Italian and Austrian official papers, and in the English Journals. In publishing it, we exercise, for the advantage of conservatory and truly liberal ideas that privilege which revolutions so often abuse for the advancement of ideas subversive of political order. We offer to the royalists of France a document of importance to history—a consolatory manifesto, which will prove to them that there still remains a great point of support for European society.

[Here follows the note of the Russian ministry addressed M. Zea de Bermudez. (See page 723). This Preface was ascribed to one of the dismissed ministers of Spain].

The King's Address to the Assembled Cortes, July 9.

“Gentlemen Deputies ;

“At length has arrived the day, the object of my ardent

wishes, on which I see myself surrounded by the representatives of the heroic and generous Spanish nation, and in which a solemn oath has completely identified my interests and those of my family with the interests of my people.

“When excess of evils produced the clear manifestation of the voice of the nation, formerly obscured by lamentable circumstances which ought to be erased from our memories, I immediately determined to embrace the desired system, and to take the oath to the political constitution of the monarchy sanctioned by the general and extraordinary Cortes in the year 1812. Then did the crown as well as the nation receive its legitimate rights, my resolution being no less spontaneous and free than conformable to my own interests and those of the Spanish people, whose happiness has never ceased to be the object of my sincerest wishes. My heart thus indissolubly united with the hearts of my subjects, who are also my children, the future presents to me only agreeable images of confidence, love, and prosperity.

“With what satisfaction must the grand spectacle be contemplated, hitherto unexampled in history, of a magnanimous nation, which has passed from one political state to another without convulsion or violence, subjecting her enthusiasm to the guidance of reason, under circumstances which have covered with mourning, and inundated with tears, other less fortunate countries!

“The general attention of Europe is now directed to the proceedings of the congress which represents this highly-favoured nation. From it are ex-

pected prudent indulgence for the past, and enlightened firmness for the future, and that at the moment which confirms the happiness of the present and succeeding generations, the errors of the preceding epoch may be buried in oblivion. It is also hoped that multiplied examples will be displayed of justice, beneficence, and generosity—virtues which always distinguished Spaniards—which the constitution recommends, and which, having been religiously observed during the effervescence among the people, ought to be still more strictly practised in the congress of their representatives, invested with the circumspect and tranquil character of legislators.

“ It is now time to undertake the examination of the state of the nation, and to commence those labours indispensable for the application of remedies suitable to the evils produced by ancient causes, and augmented both by the invasion of the enemy, and by the erroneous system of the succeeding period.

“ The account of the public revenue, which the secretary of state to whom that department belongs will present, will show its diminution and embarrassment, and will excite the zeal of the Cortes to seek and select, among the resources still possessed by the nation, those best suited for meeting the engagements and indispensable charges of the state. This inquiry will serve more and more to confirm the opinion, that it is essential and urgent to establish public credit on the immutable bases of justice and good faith, and the scrupulous observance and fulfilment of all engagements which give satisfaction and tranquillity

to creditors and capitalists, native and foreign, and relief to the treasury. I fulfil one of the most sacred duties which the royal dignity and the love of my people impose on me in earnestly recommending this important object to the serious consideration of the Cortes.

“ The administration of justice, without which no society can exist, has hitherto depended almost exclusively on the honour and probity of the judges; but, now made subject to known and established principles, it affords to the citizens new and stronger grounds of security: and still greater improvements are to be expected when our codes, carefully improved, shall attain that simplicity and perfection which the knowledge and experience of the age in which we live are capable of giving.

“ In the interior administration difficulties are experienced which proceed from old abuses, aggravated during these latter times. The persevering application of the government, and the zeal with which its agents, and the provincial authorities, labour to establish the simple and beneficent municipal system adopted by the constitution, are lessening the obstacles, and will, in time, perfect a department of the state which has an essential influence over the public welfare and prosperity.

“ The army and the navy call more particularly for my attention and solicitude. It will be one of my first cares to promote their organization, and establish them in the manner most convenient for the nation, combining, as far as possible, the advantages of forces so important with that economy which is indispensable,

and relying on the patriotism and good will of the people and the wisdom of their representatives, to whom I shall always have recourse with entire confidence.

“ It is to be expected that the re-establishment of the constitutional system, and the flattering prospect which that event presents for the future, may, by removing the pretexts of which malignity has been able to take advantage in the ultra-marine provinces, smooth the path to the pacification of those which are in a state of agitation or disturbance, and render unnecessary the employment of any other means. The examples of moderation and the love of order given by Peninsular Spain, the just pride belonging to so worthy and generous a nation, and the wise laws which are promulgated conformable to the constitution, will contribute to this object, to the oblivion of past evils, and will draw closer all Spaniards around my throne—sacrificing to the love of their common country all the recollections which might break or weaken those fraternal ties by which they ought to be united.

“ In our relations with foreign countries the most perfect harmony in general prevails, with the exception of some few differences, which, though they have not disturbed the existing peace, have given rise to discussions which cannot be terminated without the concurrence and intervention of the Cortes of the kingdom. Such are the differences pending with the United States of America respecting the Floridas, and the marking out the boundaries of Louisiana. Contests likewise exist, occasioned by the occupation of Monte-Video,

and other Spanish possessions on the left bank of the river Plata; but, though a complication of various circumstances has hitherto prevented the adjustment of these differences, I hope that the justice and moderation of the principles which guide our diplomatic operations, will produce a result suitable to the nation, and conformable to the pacific system, the preservation of which is now the general and decided maxim of European policy. The regency of Algiers has given indications of a wish to renew its old system of restlessness and aggression. To avoid the consequences which may arise from this want of respect to existing stipulations, the defensive treaty entered into in the year 1816 with the king of the Netherlands stipulated the union of the respective maritime forces in the Mediterranean, destined to maintain and secure the freedom of navigation and commerce.

“ Thus, as it is the duty of the Cortes to consolidate general happiness through the medium of wise and just laws, and thereby to protect religion, the rights of the Crown, and of the citizens; so also it belongs to my office to watch over the execution and fulfilment of those laws, and especially of the fundamental law of the monarchy, in which the hopes and wishes of the Spanish people are centred. This will be my most grateful and most constant duty. To the establishment, and to the entire and inviolable preservation of the constitution, the power which that constitution grants to the royal authority will be devoted, and in that will also consist my duty, my delight, and glory. To fulfil

and bring to perfection this great and salutary enterprise, after humbly imploring the aid and guidance of the author of all good, I require the active co-operation of the Cortes, whose zeal, intelligence, patriotism, and love to my royal person, lead me to hope that they will concur in all the necessary measures for the attainment of such important ends, thus justifying the confidence of the heroic nation by which they have been elected."

The President replied:—

"The Cortes has heard with singular satisfaction the wise address in which your majesty has expressed your noble and generous sentiments, and described the state of the nation. The Cortes presents to your majesty its most respectful thanks for the ardent zeal with which you promote the general prosperity, and promises to co-operate with your majesty's intelligence, and to contribute by all possible means to the attainment of the important objects for which it has been convoked."

On the day next but one after, the following address was agreed to by the assembled Cortes—

"Sire!—The deputies of the nation, assembled in Cortes, congratulate your majesty on having arrived at the auspicious moment so long wished for by all good citizens, in which your majesty, identifying yourself with the nation by a solemn and voluntary oath, they can raise to the throne the expression of their sentiments, to manifest to your majesty their adhesion to your august person and to the royal family; and their most zealous endeavours in effecting, conjointly with your majesty, the comple-

tion of the legislative and monarchical constitution, and to ameliorate all the branches of the public administration — objects which the existing state of affairs imperiously demands.

"From the moment your majesty, by complying with the wish of the people, resolved to swear to the constitution of the monarchy, sanctioned by the Cortes in 1812, we had reason to anticipate a long period of glory and prosperity to Spaniards.

"The Cortes will endeavour to realize the hopes of the people; they will imitate the magnanimous example set to them by the nation, by conducting themselves with moderation and wisdom to consolidate the liberties of the people, and to put an end to the misfortunes consequent upon the aberrations of the era that has just passed. While they act with the prudence and dignity worthy the representatives of a great and generous nation, the Cortes expect to find in your majesty's government that vigor and co-operation which are absolutely necessary for the establishment of a new system, and for the removal of those obstacles which impede the march of national prosperity.

"The national congress will employ itself with the utmost assiduity for the discharge of the duties imposed upon it by the people; and, co-operating with your majesty, will apply the remedies which the deplorable state of the country demands, and to which it has been reduced by the mal-administration of former times, by the ruinous system adopted during the last six years.

"The Cortes are well aware of the deplorable state of the

finances; and in devising the means necessary to provide for the public charges and disbursements, they will endeavour to make the burden to press as lightly as possible upon the people; they will also direct their attention to the means of restoring public credit and the extinction of the national debt, to the religious performances of all their engagements which the nation or the government has entered into with native or foreign capitalists, and which, in restoring the credit of the nation, will enable it to find among those same capitalists resources which will afford time to breathe, and to devise and establish the most eligible mode of taxation.

“The Cortes hope at the same time that the vigilance of the government of your majesty, and the integrity of the magistrates, will secure the prompt and upright administration of justice, which, already reduced to fixed rules, will daily improve, especially when our code shall attain the simplicity and perfection of the age, and when the establishment of juries, pointed out by the constitution, shall have extended to citizens a new and important guarantee of their liberty.

“The internal administration of the provinces being intrusted to those who are interested in their prosperity, the inveterate abuses will be removed, and the difficulties those abuses have created overcome. The communication of ideas, facilitated by the liberty of the press, by generalizing useful knowledge, will produce an universal conviction of the advantages of the municipal

system which the constitution establishes.

“The Cortes will contribute every thing in their power to the organization of the army and the navy; at the same time that they consult the interests of the nation, they will not fail to pay particular attention to the welfare of two classes of citizens so meritorious. They flatter themselves that your majesty's ministers, in proposing that organization of the army which is most conformable to the constitution, will have regard to the important services by which the citizens of that class have been distinguished, both in the glorious war of independence, and in manifesting their firm attachment to that fundamental law which equally guarantees your majesty's throne and the rights of the nation.

“The intimate union of the Cortes with your majesty's government, the re-establishment of the constitution, the faithful execution of promises, by removing all pretexts for dissatisfaction, will facilitate the pacification of the trans-marine provinces which remain in a state of agitation and dissension. The Cortes will on their parts neglect no opportunity for proposing and adopting the measures best calculated to re-establish the empire of the constitution and public tranquillity in these countries, in order to make one happy family of the Spaniards of both worlds.

“The Cortes see, with the same satisfaction as your majesty, the perfect harmony which prevails between Spain and foreign powers, and will, if necessary, co-operate in drawing closer these amicable relations. They

learn that some differences exist with the United States, and with his most faithful majesty; but the principles of justice and moderation which will henceforth guide our diplomatic relations, induce the Cortes to hope that these differences may be terminated by arrangements honourable to the country, and no way tending to interrupt the pacific system agreed upon among the nations of Europe, in the preservation of which the Cortes will willingly concur with your majesty.

“If the Regency of Algiers renew its ancient system of aggression, by a disregard of treaties, the Cortes will only have to applaud such measures as your majesty’s ministers may take, within the sphere of their authority, for causing the flag of commercial nations to be respected in the Mediterranean.

“In taking the first steps in their career for consolidating public prosperity, executing the constitution, and protecting religion, the rights of the throne and of the people, the Cortes found their most flattering hopes on the solemn promise of your majesty to enforce the strict observance of that fundamental law which is the best guarantee of the rights of your crown. Faithful observers themselves of that constitution, the Cortes, in imitation of your majesty’s example, will place all their glory and happiness in their constitutional powers. In offering to your majesty proofs of a sincere attachment to your royal person and august family, the Cortes hope to find a firm support in the zeal, patriotism, and knowledge of

your majesty’s government. Thus will your majesty return the love of the people, and we prove ourselves worthy of their confidence (Signed by the members of the committee,)

“MARTINEZ DE ROSA, COUNTESS OF TORRENO, E. TAPIA, MUNOZ TORRERO, J. A. DE TEMES, A. QUIROGA.”

Speech of his Majesty, read in the Sitting of the 9th of November, by the President of the Cortes.

“Gentlemen Deputies;—I have the satisfaction to manifest to the Cortes the pleasure I derive from the result of the first period of their sittings. During their continuance, I have frequently experienced sentiments of regard, inspired by the zeal and wisdom with which the congress has laboured to consolidate the public felicity, and the lustre of the throne, which is inseparable from that of the nation. I myself have promoted the prorogation of the sittings, as prescribed by our fundamental laws, sensible that the establishment of our political system, at the beginning, requires more time and greater labours, and also well convinced of the advantages of this prorogation, as regards the progress of the important business of the anterior months. I feel thankful for the generosity with which the Cortes have provided for the wants and decorum of my house and those of the royal family, and I cannot but applaud the frankness and justice with which, in solemnly acknowledging the obligations and charges of the state, they have approved the indispensable means of discharging

them; thus laying the foundation of our national credit and future felicity. These wise measures, with others intended suitably to organise the land and sea forces, to facilitate the circulation of our territorial riches, to remove all opposing obstacles, to establish a plan of finance, such as may reconcile the interests of the state with those of the people, have been objects of the incessant application and continued exertions of the congress, and rendered them deserving of the universal estimation of Europe, and the just gratitude of the kingdom. At the same time, I cannot but assure you, that my heart has been filled with gladness, on beholding the measures of prudent generosity and indulgence with which the Cortes have endeavoured to heal the wounds of the nation, and efface the remembrance of the evils by which it had been rent, opening the door of reconciliation to error and obstinacy, and at the same time still leaving alive the sweet hope that you will henceforward continue animated by the same noble sentiments, in order to cement the constitutional system on the bases of fraternity and reciprocal love of all Spaniards.

By this means the solid power of the nation, and of the monarchical authority by which it is directed, go on increasing, and at the same time that improvements in our internal situation are preparing, we acquire more founded rights to the consideration of foreign governments, all of whom continue to give me proofs of their friendly dispositions. Every day I congratulate myself, more and more, on governing a people so worthy and generous. I have co-operated in

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the glorious enterprise of their regeneration, and in the laudable efforts of the Cortes, through the proper means of the royal prerogative; I have dictated the measures suitable for the execution of the laws, and I do not doubt time will give great force and vigor to our institutions, and that those advantages which already begin to be realised, will progressively increase. Confirmed by the lessons of experience, I thus hope to be enabled to express myself to the representatives of the nation, when, after resting from their labours and fatigue, they again assemble in the ensuing session, in order to continue the undertakings they have left pending, and as hitherto successfully to promote the public prosperity.—San Lorenzo, Nov. 7, 1820.

(Signed) FERDINAND.

[See also pp. 35, 37, 361, 362, and 532, *antè*.]

NEAPOLITAN PAPERS.

Proclamation of the King, July 6.

The general wish of the kingdom of the Two Sicilies for a constitutional government having manifested itself, we consent to this of our full and entire will, and promise to publish the basis in the space of eight days.

Till the publication of the constitution the existing laws shall continue to be in vigor.

Having thus satisfied the public wish, we order the troops to return to their corps, and every individual to his ordinary occupation.

(Signed) FERDINAND.

The secretary of state, minister, chancellor,

(Signed) Marquis TOMMASI.

Naples, July 6, 1820.

3 F

Decree of the Nomination of the New Ministers.

Ferdinand, &c.

We have resolved to decree, and do decree as follows:—

Art. 1. We name secretary of state, minister of foreign affairs, the duke di Campo Chiaro.

2. We name secretary of state, minister of grace and justice, and of ecclesiastical affairs, the count di Carmadoli, don Francisco Ricciardi, and during his temporary absence the counsellor of chancery, baron don Francisco Maghano, shall be charged with the portfolio.

3. We name secretary of state, minister of finances, the marquis don Felice Amati.

4. We name secretary of state, minister chancellor the marquis don Guacchino Ferreri, and, in his absence, his functions will be discharged by the oldest regent of the supreme council of the chancery.

5. We name in place of the captain-general Nugent, lieutenant-general baron don Michale Carascosa.

6. Till the secretary of state, minister of the interior, shall be named, the duke di Campo Chiaro shall discharge its functions.

7. All the ministers, secretary of state, are charged with the execution of the present decree.

(Signed) FERDINAND.

The secretary of state, minister chancellor,

(Signed) Marq. TOMMASI.

Acts of Cession of the King to the Duke of Calabria.

Ferdinand, &c.

My very dear and well-beloved son, Francis, duke of Calabria.

In consequence of indisposition, and the advice of my minis-

ters, being obliged to abstain from all serious application, I should think myself wanting in my duty, and guilty before God, if under these circumstances I did not provide for the government of the kingdom in such a manner that the most important affairs may take their course, and that my indisposition may not be injurious to the public cause. Having determined from these motives to transfer the burden of government until the moment when it shall please God to restore me to a state of health necessary to support it, I cannot do better than confide it to you, my very dear and well-beloved son, as well because you are my legitimate successor, as on account of the knowledge I have acquired of your mind and capacity.

I make you, in consequence, and I constitute you, of my full and entire will, in my kingdom of the Two Sicilies, my lieutenant-general, as you have heretofore been in the territory of Naples, and in that beyond the Pharos; and I transmit and grant to you, with the unlimited clause of *Alter Ego*, the exercise of every right, prerogative, pre-eminence, and faculty, in the same manner as they would be exercised by myself in person. And in order that my will may be universally known and executed, I order that this paper, signed with my own hand, and sealed with my royal seal, shall be kept and registered by our secretary of state, minister, chancellor, and that you cause to be transmitted a copy of it to all the counsellors and secretaries of state, in order that they may make it known to whom it concerns.

(Signed) FERDINAND.
Naples, 6th July, 1820."

*New Proclamation of the King, of
the 7th of July.*

Ferdinand, &c.

We having given to our well-beloved son all the faculties necessary to provide for the government of our kingdom, by declaring him our lieutenant-general, with the Alter Ego; he has already arranged the bases of the constitution which he promised, taking for a model that adopted by the kingdom of Spain in 1812, which was sanctioned by his Catholic majesty in the month of March last, saving the modifications which the national representatives, constitutionally convoked, may think it expedient to propose, in order to adapt it to the particular circumstances of our states. We confirm this act of our well-beloved son, and we promise to observe the constitution on our faith and royal word, reserving to ourselves to swear to it in a solemn manner, in the presence of the provisional junta, which, conformably to that established in Spain, shall be appointed by our well-beloved son and lieutenant-general, and afterwards in the presence of the general parliament, as soon as it shall be lawfully assembled.

We ratify, also, by these presents, all the subsequent acts which shall be done by our well-beloved son, for the execution of the constitution, and afterwards of the faculties and full powers which we have confided to him. We declare that all that shall be thus done shall be regarded by us as if done by ourself and of our own proper motion.

(Signed) FERDINAND.
Naples, 7th July, 1820.

*Proclamation of the Duke of Ca-
labria, of the 7th July.*

Ferdinand, &c.

We, Francis, duke of Calabria, lieutenant-general of the kingdom, with the Alter Ego.

By virtue of the act dated yesterday, by which his majesty, our august father, has transmitted to us, with the unlimited clause of the Alter Ego, the exercise of all rights, prerogatives, pre-eminences and faculties in the same manner as they can be exercised by his majesty.

In consequence of the decision of his majesty to give a constitution to the state,

Wishing to manifest our sentiments to all his subjects, and to second at the same time their unanimous wish,

We have resolved to decree, and do decree, as follows :

Art. 1. The constitution of the kingdom of the Two Sicilies shall be the same that was adopted for the kingdom of Spain in 1812, and sanctioned by his Catholic majesty in March 1820, saving the modifications which the national representation, constitutionally convoked, shall consider it suitable to propose, in order to adapt it to the particular circumstances of the states of his majesty.

2. We reserve to ourselves to adopt and make known all the arrangements which may be necessary to facilitate and accelerate the execution of the present decree.

3. All our ministers secretaries of state are charged with the execution of the present decree.

(Signed) FRANCIS, Lieut.-gen.
Naples, 7th July 1820.

*To the Constitutional Army
under the command of General
Pepe.*

The good conduct, order, and discipline maintained by the army during its march, and on its solemn entry into this faithful city under the orders of the worthy chief who commands it, have so well merited my satisfaction, that I cannot delay the testifying it publicly. Soldiers, when an enterprise is commanded, not by interest but by glory—and when that glory displays itself surrounded by discipline and moderation—how glorious are the results which are obtained! Honour to the worthy captain who has known how to attain so noble an object! Honour to the brave and disciplined army which has known so well how to obey!

(Signed) FRANCIS.

Naples July 10.

Ferdinand, &c.

In virtue of the authority transferred to us by the king our august father and sovereign;—considering that the maintenance of order is the uniform wish of our people, and the principal basis of that union, without which there can exist neither public opinion nor public force; wishing to take the most effectual measures for executing the new constitution proclaimed by the king, our august father, and by ourselves;—

We have resolved to decree, and do decree, as follows:—

Article 1. There shall be appointed for the faithful city of Naples, and for its province solely, a temporary committee of public safety. This committee

shall be composed of the under-named persons:—

The inspector-general and commandant of the guard of safety; the counsellors of the supreme court of justice. Nicolas Lebetta, Joseph Laghezza, Paschal Borrelli, Gregorio Muscari, Donat Colleta, and Peter Antonio Reggiero.

2. The powers of this committee are:—

(a) To determine according to circumstances the service of the Guard of Internal Safety:

(b) To direct the employment of the existing agents of police for the maintenance of public tranquillity until a definitive regulation for the prevention and repression of crimes be formed.

In all proceedings relative to the powers thus given, the committee shall be seconded by the Guard of Internal Safety, the Gens d'Armerie, and the Royal Fusileers. None of these corps can be permitted to refuse obedience to the requisitions of the committee.

3. All our ministers secretaries of state, each in what concerns his department, are charged with the execution of the present decree.

FRANCIS, Vicar-General.
Naples, July 7.

Proclamation.

Ferdinand I. by the Grace of God and the Constitution of the Monarchy, King of the Kingdom of the Two Sicilies, King of Jerusalem, Infante of Spain, &c. &c.

Francisco, duke of Calabria, hereditary Prince and Vicar-General.

Palermitans!—You whom I call my children, you are the first to plunge into sedition and disorder against the noble principles which have always distinguished your nation. You have in a moment forgotten the duties of men and of citizens. You have acted in opposition to your own interests and the public cause. The most painful recollection to me is, that the moment I had separated from you, and before the effect of my measures for the diminution of your burdens, and the amelioration of your condition could be experienced, you forgot my constant affection and the sacrifices which I have made for you. Rather than believe myself deceived in the marks of love and fidelity which you have always shown me, I wish to consider your errors as the work of instigators. But the evil is not one which cannot be remedied. Return to order, to respect for the laws, and obedience to the king. The profound grief which has afflicted my heart is somewhat alleviated by offering you pardon. Beware of persisting in the horrors of a revolution; consider that those horrors may lead you where you would not wish to go. If you think any thing is wanting to your happiness, place that confidence in me which I have never ceased to deserve. Imitate the example of your brethren of Naples. They can tell you whether the king's intentions and mine have not corresponded with their wishes. I am most anxious to ascertain what may be most suitable to your condition, and to the security and welfare of the nation. But I cannot direct my attention to your interests, unless you cast from yourselves the dis-

graceful forms of sedition which you have assumed. Lay down your arms, and do not compel me to have recourse to measures which would be painful to my feelings. Submit to the laws and to the magistrates. Convince me that you are capable of completely effacing your crime. I solemnly promise you that I shall pardon, and shall make no inquiries either into the cause of the revolt, or its instigators, if you now listen to my voice, and feel remorse for having made so bad a return to my affection.

FRANCISCO, Vicar-general.
Naples July 20.

The following is the substance of five royal ordinances, issued by the duke of Calabria, vicar-general.

We, Francis, duke of Calabria, hereditary prince and vicar-general, considering the necessity of giving to the national army an imposing attitude, in order to make the independence of the nation respected, have been pleased, by the advice of the Provisional Junta, to decree as follows:—

1. All those are called into active service who entered the army posterior to 1806, and who are not past 40 years of age.

2. The extraordinary service which they are called to perform in the active army will not exceed six months.

3. Those who have families shall receive a carlino a day, payable to those families in their communes.

Considering that the national militia of the kingdom have made known to the nation all the advantages of their institution; that, to render this force imposing, it is necessary to extend it, and to

enlarge its organization already adopted :

We have decreed as follows :

Art. 1. The regiments of militia actually existing in the provinces are upheld in their present state of organization.

Art. 2. Besides the militia actually existing, there shall be raised in every province a legion composed of individuals of the age of from 21 to 40, who are neither at present permanently in the army, nor called temporally into active service.

There are several other articles of local regulation.

The third decree establishes a battalion of 600 men for the Calabrias.

Ferdinand I. by the grace of God, &c. &c. We, Francis, &c. &c.—Taking into consideration the claims of those officers who, by the circumstances of the last campaign in Italy, were deprived of their employments, we have resolved to decree, and have decreed as follows :—

Art. 1. All the officers who, in the campaign of 1815, or afterwards, were deprived of their employments, or who afterwards were dismissed as foreigners, are allowed again the power of serving, if they choose, as volunteers in the expedition to Sicily, in the manner which shall be presented.

(Signed) FRANCISO.

(Countersigned) CARASCOSA.

Naples, August 30.

The fifth decree deprives prince Castelvicala, ambassador at Paris, of all his employments, pay, and emoluments held of government, because he has refused to take the oath to the new constitution.

Another of the same date deprives Carlo Ruffo, the son of Castelvicala, of the post of secre-

tary to the embassy at Madrid, for the same reason.

Copy of a Letter from the Emperor of Austria to the King of Naples.

“ Troppau, Nov. 20.

“ Sir, my Brother, and very dear Father-in-Law ;

“ Unhappy circumstances have prevented my receiving the letters addressed to me by your majesty during a period of four months. The events, however, to which those letters have probably related, have not ceased to occupy my most serious meditations, as well as those of the allied powers assembled at Troppau, to deliberate in unison on the consequences with which these events menace the rest of the Italian peninsula, and perhaps the whole of Europe. In determining on this common consultation, we have only acted in conformity with the transactions of 1814, 1815, and 1818—transactions of which your majesty, as well as Europe at large, know the character and object, and upon which that tutelary alliance is founded—solely designed to guarantee from all danger the political independence and territorial integrity of all its states, and to ensure the repose and prosperity of Europe at large, by the repose and prosperity of each of the countries of which it is composed. Your majesty, then, cannot doubt that the object of the cabinets assembled here is to reconcile the interest and well-being, the enjoyment of which the paternal solicitude of your majesty would lead you to desire for your people, with the duties of the allied monarchs to their own states, and the rest of

the world. But my allies and myself should feel happy to fulfil these solemn engagements with the co-operation of your majesty, and we now, faithful to the principles we have proclaimed, demand this co-operation. It is solely with this view that we propose to your majesty to assemble with us in the city of Laybach. Your presence, Sire, we are sure, will hasten a reconciliation almost indispensable; and it is in the name of the dearest interests of your kingdom, and with that watchful solicitude of which we believe that we have given more than one testimony to your majesty, that we now invite you to receive new proofs of the true friendship which we bear you, and of that frankness which forms the basis of our policy.

“Receive the assurance of the distinguished consideration and unalterable attachment with which I am your majesty’s true brother, son-in-law and ally.

(Signed) “FRANCIS.”

Letters were also addressed to the king of Naples by the emperor of Russia and the king of Prussia, but precisely in the same terms.

Addressed by Ferdinand I. by the grace of God and the constitution of the monarchy, king of the Two Sicilies, &c. &c. to his faithful deputies of parliament.

“The sovereigns of Austria, Russia, and Prussia, united in Congress at Troppau, have sent me three letters, in which they invite me to repair in person to Laybach to form part of a new Congress to be held in that place.

“You will collect from the

letters themselves, copies of which will be laid before you by my minister for foreign affairs, the importance of the object of such an invitation, which is that of interposing myself as mediator between the above-named sovereigns and the nation.

“Duly penetrated with the circumstances under which we are placed, and desirous to make any sacrifice to establish the happiness of the nation on a solid basis, I turn with avidity to every expedient that presents to me the hope of effecting that object. Consequently, I am resolved to overcome all the obstacles offered by my advanced age and the rigour of the season, and to comply promptly with the invitation, since the above-named sovereigns have caused it to be declared to me that there can be no other medium for treating, even were it one of the princes of my royal family. I set out with the confidence that Divine Providence will afford me the means of giving the last proof of my love for you, in saving the nation from the scourge of war.

“Far be the thought from me and from you, that the adoption of this project can make me compromise the good of my people; and in parting from you I owe it to myself to give you a new and solemn guarantee. I declare, then, to you and to the nation that has resolved to make every exertion for the enjoyment of a liberal and wise constitution, that whatever measures circumstances may exact relatively to our actual political state, all my efforts will be directed that it may remain for ever fixed upon the following bases:—

“1. That the individual and

real liberty of my beloved subjects may be secured by a fundamental law of the state.

“ 2. That birth shall confer no privileges in the composition of the legislative body of the state.

“ 3. That no taxes shall be imposed without the consent of the nation in its legitimate representation.

“ 4. That the accounts of public expenditure shall be referred to the nation itself, and to its representatives.

“ 5. That laws shall be made in accord with the national representatives.

“ 6. That the judicial power shall be independent.

“ 7. That the press shall remain free, except from the operation of laws enacted against the abuses of its liberty.

“ 8. That the ministers be responsible.

“ 9. That the civil list shall be fixed.

“ I further declare that none of my subjects shall ever receive molestation on account of past political events.

“ My faithful Deputies;—In taking on me this care to convince you of my love and solicitude for the nation, I desire that a deputation of four members, selected from the parliament, may accompany me, and be witnesses of the dangers that threaten, and the endeavours that may be made to enslave us.

“ It is necessary, however, that until the termination of these negotiations, parliament do not propose any new measure in the different branches, but that affairs may remain in the state in which they are at present, limiting its care to the part it is al-

ready called on to take in the organization of the army, and that all the arrangements, dictated by time and circumstances, may continue in the new year as they were fixed in that which is about to expire. It is my decided wish that the greatest economy in expenditure may be adopted in all the departments, as soon as the situation of affairs will permit.

“ I leave with you, in parting, all that I hold most dear. You will continue to feel those sentiments of attachment which you have ever professed for my royal family.

“ I confirm my beloved son, the duke of Calabria, in his functions of my vicar-general, as expressed in my act of the 6th July, and 11th of October of this year.

“ I am convinced that you will receive this communication as a proof of my sentiments for you, and of that necessity which obliges us to prefer the salvation of our country to every other secondary interest.

“ FERDINAND.

“ The duke of CAMPOCHIARO, Sec. of State, and Minister for Foreign Affairs.”

“ Naples, Dec. 7. [See also pp. 268, 524, and 549, *antè*.]

PORTUGUESE PAPERS.

Proclamation (No. 1).

Soldiers!—One will unite us. Let us haste to the salvation of our country. There are no evils that Portugal does not suffer; there are no sufferings that the Portuguese do not bear in the extreme! The Portuguese without security in their persons and property, request our assistance:

they desire liberty regulated by law.

You yourselves, victims of the general evil, are no longer considered as your valour and virtue merit !

A reform is necessary, but it must be regulated by reason and justice ; and not by licentiousness.

Contribute to preserve order ; repress all tumults ; smother the least symptoms of anarchy.

Let us create a provisional government in which we can confide ; let them call the Cortes, which will be the organ of the nation, and let these prepare a constitution that will secure us our rights.

Our king Don John VI, as good, as benign, and as a friend to his people, who adore him, will bless our exertions.

Long live our beloved king !
Long live the Cortes and their constitution !

(Signed)

SEPULVEDO, Colonel of No. 18.

CABREIRA, Colonel of Artillery.

Lieut.-Colonel of No. 6.

Major of the Mai Militia.

Ditto Oporto ditto.

Oporto, in Military Council,

Aug. 24.

Proclamation.—(No. 2).

Soldiers!—Our sufferings are past bearing ! Our country in fetters ! All respect for you lost ! Our sacrifices frustrated ! A Portuguese soldier on the point of begging alms !

Soldiers!—This is the moment. Let us haste to save our country—let us haste to save ourselves.

Comrades!—Follow me : come with our brothers in arms to organize a provisional government, and let them call the Cortes to

form a constitution, the want of which has been the origin of all our sufferings. It is not necessary to recapitulate them : all of you feel them.

It is in the name and preservation of our august sovereign Don John VI. that it will govern.

Our holy religion shall be protected : as our exertions are sincere and virtuous, so God will bless them.

The soldiers who compose the brave Portuguese army will haste to espouse our cause, because it is also their own. Soldiers ! The power is in their hands ; we ought not therefore to allow any disorder. If to each of us our country owes its salvation, let it also owe to each of us its security and tranquillity.

Place confidence in a chief who never led you in any path but that of honour.

Soldiers!—You must not judge of the grandeur of the cause by the simplicity of my expressions : men of talent will one day illustrate this act, more glorious than a thousand victories.

Let us hallow this day ; and henceforward let the cry of our hearts be—Long live King John VI.—Long live the Portuguese Army.—Long live the Cortes and their National Constitution !

Copy of the Oath (No. 3).

I swear by the Holy Gospel, obedience to the provisional assembly for the supreme government of the kingdom now established, and which, in the name of his majesty Don John VI. is to govern till the institution of the Cortes which it is to convoke for forming the Portuguese constitution.

I swear obedience to these

Cortes, and to the constitution they may form, maintaining the Roman Catholic religion, and the dynasty of the most serene house of Braganza.

Signed by the following members of the provisional government for the city of Oporto, and the rest of the kingdom.

President—Antonio de Silva Pinto.

Vice-President—Cabreira, colonel of artillery.

Secretaries—Don Jozé Ferreira Borges, don Jozé da Silva Carvalho, and don Gomes de Castro.

Members for the Clergy—The dean of the cathedral.

Member for Magistracy—Manoel Fernandes Thomas.

Members for the Nobility—Cerries and Pedro Leite.

Member for the University—Friar Francisco St. Luis.

Member for Commerce—Francisco Jozé de Barros Lima.

Members for the Province of Minho—Joaõ da Cunha Souto Mayon, and Jozé Maria Xavier de Azevedo.

Members for the Province of Tras-os-Montes—Jozé Joaquim de Moira, and Jozé Manuel Ribeiro Ferreira e Castro.

Members for the Province of Beira—Jozé de Mello Castro e Abreu and Roque Ribeiro d'Ab-rantes Castello Branco.

PROCLAMATION

From the Provisional Junta of the Supreme Government of the Kingdom to the Portuguese.

If the agitation which pervaded the several nations of Europe shook their thrones, your army saved the country; immortalising its name, it is not less meritorious that it should have removed it

from the abyss into which it was precipitated by the almost total loss of the national representation.

An inconsiderate administration, full of error and vice, had overwhelmed the nation with every species of evil, violating our rights and immunities, breaking down our privileges and liberties, and profaning those laudable customs which have characterised us since the establishment of the monarchy, and which were, perhaps, the most sure pledges of our social virtues.

The love of one's country sacrificed to egotism, was no more than a vain name in the mouths of those persons who filled the highest offices in the nation, whose only object was the attainment of wealth and power as the reward of their crimes, their ignorance, and want of experience in conducting the affairs of the state. It is by these means that we are deprived of our commerce; industry has ceased to exist; agriculture has decayed, and our ships have become rotten. A few days only were wanting ere we should have lost the last trading vessel, and the ruin of our navigation, for which we were so famous in the times of our former glory, would have followed; then we ploughed the ocean, inspecting the coasts, frequenting ports without opposition, and spreading over astonished and envying Europe the precious commodities of the East, and the riches of both worlds.

The source of national property being thus dried up, the necessary consequence was, the loss of our dearest interests, and, to crown all our evils, our ado-

nable sovereign determined to leave us. Portuguese, from that fatal day we calculate our misfortunes. We have lost every thing, and we should even be deprived of our name, so famous in the annals of history, if we did not show that we still possess the same constancy with which we have suffered so many calamities and miseries by the heroic resolution we have this day taken.

Our ancestors were happy, because they lived in fortunate ages, when Portugal boasted of a representative government, and a Cortes of the nation; when prodigies of valour were performed, while the people obeyed the laws which were wisely enacted—laws which were advantageous to all, because they were obligatory on all. There it was that the nation made Africa tremble—that it conquered India—and astonished the known world; to which it added another, extending still further the renown of its prowess. Never did religion, the throne, and the country in general, obtain such important acquisitions; never did it possess greater glory, nor more solid greatness: all these honours continually flowing in from the constitution of the state, because it maintained the rights of the sovereign and of the subject in perfect equilibrium, making the nation and its chief one family, in which all were united for general happiness.

Let us, then, have that constitution, and we shall be again happy. Our Lord, John VI, our adored monarch, has omitted to give it to us, because he is ignorant of our desires; there is now not time to ask him for it; for the evils which we have suf-

fered, and have still to endure, require a prompt remedy.

Let us convoke the Cortes, in imitation of our ancestors, and let us expect from their wisdom and firmness those measures which can alone save us from perdition, and secure our political existence. The desire of the nation and the army requires the adoption of this measure, which has been already too long retarded. In the glorious plains of Orique the army raises its voice, and the monarchy appears; this day the forces express their determination to save from destruction those previous depositories confided to their protection, and maintained by their valour, invincible for ages past.

Portuguese! The step which you have just taken for your future happiness was necessary, was even indispensable; and your miserable condition fully justifies your proceedings. Do not, therefore, be intimidated, for you certainly do not betray the sentiments of your natural fidelity. The world knows well that our determination was not the effect of personal hatred, or any disaffection to the august house of Braganza. United with the whole nation, we are taking measures to strengthen the bonds of love, of respect, and of allegiance, for we are most closely connected to the dynasty of the immortal John IV. and the virtues which adorn the heart of the most dearly beloved of his descendants, assures us that he will unite his endeavours with ours, making happy a nation which has performed so many acts of heroism, in order to adorn his forehead with the crown of the Lusitanian empire.

The change which we have

brought about does not attack the essential parts of the monarchy. Our holy religion will gain strength by the improvement of morals, until this day, unfortunately abandoned, and will insure the felicity of this and future ages.

The laws of the kingdom, religiously observed, will secure private property, and the nation will preserve for every one the peaceful enjoyment of his rights, because it does not wish to destroy, but to increase them.

No one shall be molested for his political opinions or past conduct, and the wisest measures will be taken to avoid disturbance, which might be occasioned by dislike, or the accomplishment of private revenge.

Portuguese! Be assured of the good intentions which animate us. Chosen to watch over your destinies until the arrival of that day when, completely represented, you will have established another form of government, we shall use our best endeavour to merit the confidence placed in us, and, if the result shall be as we expect, the adoption of a constitution, it will, no doubt, secure the rights of the monarch and yours, and will be the most glorious recompense for our labours.

(Signed)

President—Antonio de Silveira Pinto da Fonseca.

Vice - President—Sebastião Drago Valente de Brito Cambreira.

Member for the Clergy—Luis Pedro de Andrada e Bredefode.

Member for the Nobility—Pedro Leiste, Pereira da Mello.

Member for the Magistrates—Manoel Fernandes Thomaz.

Member for Commerce—Francisco Jose de Barros Lima.

Members for the province of Minho—Jose Maria Xavier de Araajo, and João da Cunha Sollo Maya.

Secretaries—Jose da Silva Carvalho, Jose Ferreira Borges, and Francisco Gomes da Silva.

Palace of Government,
August 24, 1820.

“ *Chaves, Aug. 26.*

“ Illustrious Senor ;—Agreeably to what I had the honour of addressing to you from Villa-Real on the 24th instant, I marched the same moment for this fortress, and this morning unfortunately I have verified my suspicions of the rising at Oporto, and even, to my greater distress, I find engaged in it my brother Antonio de Silveira, a madman, and already known to be such. I am not afraid that this event should injure my reputation, since my conduct has been and always will be faithful to our king, which fidelity I shall manifest by my actions ; but it is a calamity to see a man who is allied to me by blood disgrace me and his ancestors. I beseech your excellency to make known to the government what I have now said, and to declare that if there is any person who wishes to taint my reputation, I am ready to vindicate my conduct.

“ I have ordered an union of all the corps of this province, and I have dispersed through it the Proclamation which I inclose to you. I intend to assemble all the troops of the first and second line in Villa-Real, and have opened communications with the generals of the province of Beira and Minho, from whom there is not yet time to have received any an-

swer; and when I have collected the troops, I shall wait for the orders of your excellency. I have ordered all communication by couriers to be cut off with Oporto, and that the revenues for that city should be sent to Viseu. In this province there is need of a corps of artillery for the park of twelve pieces, which it contains, and I cannot receive them from Oporto, that regiment having become revolutionary.

“ I communicate this to your excellency, hoping that you will send some officers and privates of that *arme*, and particularly supply me with the means of procuring cattle. (Signed)

“ CONDE DE AMARANTE.

“ To the Most Illustrious
Conde da Feira.”

Proclamation of the Conde de Amarante.

Francisco da Silveira Pinto da Fonseca, Count of Amarante, of the council of his most faithful majesty, Grand Cross of the Tower and Sword, and of St. Ferdinand of Spain, Commander of the same orders and that of Christ, lieutenant-general of the royal armies, and governor of the armies of the province of Tras-os-Montes:—

“ Brave and faithful people of Tras-os-Montes! This is the third time that circumstances have made me summon you to arms, and always I have had the satisfaction of seeing you hasten to defend the sacred rights of our august sovereign John VIth, king of the united kingdom of Portugal, Brazil, and Algarve. In 1808 it was you who broke through the captivity which the armies of a perfidious invader had thrown around us; but unfortunately what we did had no result: for, although we here had

no longer any foreign enemies, we have among us ambitious, mad, and desperate men, who unhappily, in the name of the Portuguese, seek to change the government, and, under specious and false pretences, endeavour to induce us to be traitors to the king, and false to the sacred oath which we took to him; and, sowing anarchy in the nation, promise us great blessings as the result of such innovation; but remember what sort of blessings revolutionary Frenchmen gave to France, being nothing else but deaths, conflagrations, and robberies, and, lastly, a destructive war; but your loyalty is so well known, that it is not necessary to awaken it by arguments. I am determined, by all the principles of honour, of duty, and of religion, to sacrifice even the last drop of my blood in defence of the sacred rights of the king our sovereign. I am sure that these sentiments will be those of you all. It is a crime to recognise the revolutionary government of Oporto. The councils, magistrates, and all the authorities, as well military as civil, ought to repel, and not to recognise, such a government.

“ Inhabitants of Tras-os-Montes! Let us preserve our loyalty; and let our general cry be “ Long live the King, and long live those honourable Portuguese who are faithful to him.”

“ CONDE DE AMARANTE.

“ Head-quarters at Chaves,
August 26, 1820.”

Official Note.

“ Most Illustrious Sir;—The memorable event which restored to Portugal the rank among nations which it justly claims, did

not permit the Provisional Junta of the Supreme Government, in a moment of such importance, and which required the most prompt and efficacious measures, to express to the English officers who fill posts in the army, how much it desires to show the just and well-merited consideration, in which it holds their eminent services, and how happy it would think itself if it judged itself authorized worthily to reward them. Under the impossibility, however, of so doing, it feels it to be one of its first duties, in the exercise of the authority which is confided to it, to desire, that you, sir, will declare to all the said officers, and to each of them in particular, that they are to retain their honours, privileges, and distinctions, belonging to their posts, as well as their pay, which shall be punctually paid them, till the installation of the Cortes.

“ The Junta desires also, that you will give them to understand, that conformably to the general will of the Portuguese nation, whose desires, regulated by its generosity and gratitude, are without limit, it will cause to be afforded to such of those officers who desire it, the means which are necessary for them to remain with all decency and convenience in the country, unless they should take the resolution to remove to their own, or to some other.

“ That the Junta, however, hopes they will conduct themselves in the present circumstances with that delicacy and circumspection which beseeem men, who from education have learnt to appreciate the respect due to the wish of a whole nation, which has so solemnly declared its firm resolution to main-

tain its rights. God preserve your excellency!

“ FRANCISCO GOMEZ DA SILVA.

“ Palace of the Government,
August 26.

“ To the most illustrious Sebastian Drago, Valente de Brito Cabreira, Commander-in-Chief of the armed force of this division.”

Proclamation of the Governors of the Kingdom.

“ Lisbon, Aug. 29.

“ Portuguese!—The horrible crime of rebellion against the power and legitimate authority of our august sovereign, the king our master, has just been committed in the city of Oporto.

“ A few ill-intentioned individuals, deceiving the officers of the corps of troops in that city, were unhappily able to induce them, covering themselves with opprobrium, to violate, on the 24th of this month, the oath of fidelity to their king and to their colours, and to dare to constitute, of their own authority, in that city, a government, to which they gave the name of the Supreme Government of the Kingdom.

“ The wretches who contrived this conspiracy well knew that they could not mislead Portuguese hearts but by concealing from them, under the appearance of an illusory oath of love and fidelity to the sovereign, the tremendous step which they made them take towards the abyss of revolution, the consequences of which may be the subversion of the monarchy, and the subjection of a nation always jealous of its independence to the ignominy of a foreign yoke.

“ Do not, then, be deluded, faithful and valiant Portuguese,

by such appearances; it is an evident contradiction, when the revolted, protesting obedience to the king our sovereign, while they withdraw themselves from the authority of the government lawfully established by his majesty, propose, as the intruders (*intrusos*) declare, to constitute themselves under the title of Supreme Government of the Kingdom; to convoke Cortes, which would be always illegal if not called by the sovereign; and to announce changes or alterations which they ought to content themselves with soliciting, because they cannot emanate in a legitimate and permanent manner except from the royal consent.

“Our sovereign has never ceased to yield to just solicitations, the object of which is the good and the prosperity of his subjects.

“Even now, by the ship of war which has entered this port to-day, regulations have been received, which will be speedily made public, proving the truly paternal solicitude with which he deigns to attend to the good of this kingdom; and which, if possible, increases the horror which all ought to feel at the crime committed in the city of Oporto.

“The governors of this kingdom are taking, and will continue to take, all the measures which such circumstances imperiously dictate, and which are prescribed to them by the most sacred duties of their office.

“If, however, any causes of complaint and just representations shall be laid before them, they will hasten to forward them respectfully to the royal presence, flattering themselves that the same individuals now implicated

in so criminal an insurrection will reflect upon the evils into which they are going to precipitate themselves, and will, repenting, return to obedience to their sovereign, confiding in the unalterable clemency of the most merciful of monarchs.

“Meantime the governors of the kingdom hope that this most faithful nation may constantly preserve that loyalty which was always its most precious distinction; that the army, whose heroism was but lately admired by all Europe, will hasten to efface the blot with which its honour is threatened by the misconduct of those few corps who have inconsiderately suffered themselves to be deceived; and that the majority of the Portuguese army will preserve, together with the reputation of its inflexible valour, the equally distinguished virtue of its fidelity.

“Portuguese! the preservation of implicit obedience to the king our sovereign is the most important obligation upon us all, at the same time that it is our most evident interest. Show, then, firmness in these principles. Let all classes concur to maintain the public tranquillity; and you will promptly see order restored, which the ill-intentioned rashly attempt to disturb.

“This is what is recommended to you, in the name of our adored sovereign, by the governors of the kingdom.

“The Cardinal Patriarch Marquis de BORBA,

“Conde de PENICHE,

“Conde da FEIRA,

“ANTONIO GOMEZ RIBEIRO.”

“Lisbon, in the Palace of the Government, the 29th of August, 1820.”

Proclamation of the Governors of the Kingdom of Portugal and Algarve, to the Corps of the Army who have swerved from their Duty.

“ Valiant soldiers, who have suffered yourselves to be deluded! —After having maintained, with your blood, the rights of religion, of the throne, and of the country—after having, in the midst of dangers and privations, astonished the nations of Europe by the glorious deeds which you performed in a war without parallel—it is in the bosom of peace, in the centre of your families, and in your own homes, that insidious seduction makes you lose the merit which it has cost you so much to acquire, by staining your hitherto unsullied fidelity.

“ The governors of the kingdom, if they employed force and the means which his majesty placed in their hands, and which are supported by the loyalty and brave conduct of the troops in the provinces of Tras-os-Montes, Beira, Estremadura, and Alentejo, and of the kingdom of Algarve, where the applications made to them by the pretended Supreme Junta were received with the contempt which they merited; they would soon make you know into what a melancholy situation the authors of your error hurled you; but convinced of the paternal love of our mild monarch, and how painful it would be to him to have Portuguese blood spilt, they grant you, in his royal name, an entire pardon.

“ Considering that the officers and soldiers of the corps who have erred, failed rather out of obedience to their commanders, than with the intention of with-

drawing from their allegiance to the lawful government of their sovereign, they do not offer rewards to those who shall return to their duties, it being unworthy of a Portuguese that such a stimulus should make troops return to their duty, who never were mercenary; but they offer the clemency of their monarch, and perfect oblivion of the inconsiderate step of which they have been guilty, to all those who shall promptly abandon the unjust party to which they have unhappily suffered themselves to be attached, and shall join the faithful corps which are the nearest to them.

“ The officers of the misled corps, who shall promptly concur in causing the said corps to return to their proper obedience, shall not only be pardoned, but especial consideration shall be had of the merit of their conduct.

“ The Cardinal Patriarch Marquis de BORBA,
 “ Conde de PENICHE,
 “ Conde de FEIRA,
 “ ANTONIO GOMEZ RIBEIRO.
 “ Lisbon, in the Palace of the Government, Sept. 2.”

Proclamation from the Provisional Government at Oporto.

“ Citizens of Oporto!—Frankness is the first of the virtues of a just government; you shall know, therefore, all that we know, and the certainty of which we guarantee to you. Those who were the governors of the kingdom, have proclaimed that a very few men are concerned in changing the ancient order of things, and for this reason nobody ought to obey us. You know to what a degree they are deceived, or seek

to deceive, because you know perfectly well with what rapidity the cry which you raised is repeated on every side. Do not fear. In Lisbon you are considered as heroes and patriots, and its inhabitants, who desire to imitate you in the calmness with which you proclaimed your independence, only expect the approach of some force to declare themselves, without fear of suffering any evils, and without seeing themselves under the necessity of inflicting them. Citizens of Oporto, we have forces; we have the means of supporting our cause.

“ It is just: it is also the cause of our neighbours the Spaniards; and for this reason their troops already occupy our frontiers in Galicia, where they are ready to assist our independence. We should wish to owe to our own exertions alone the liberty which we are going to enjoy; but the enemies of the nation, even in this, desire to obscure the glory to which it has so many titles.— Citizens of Oporto, fear nothing! God is with us!

(Signed)

“ ANTONIO DA SILVEIRA
PONTA DA FONSECA,
President.

“ SEBASTIAN DRAGO VALENTE DE BRITO CABREIRA, Vice-Presid.

“ Oporto, in the Palace of the Government, Sept. 2.”

Proclamation.

“ Inhabitants of the city of Porto, and other Portuguese, who, by their example, have suffered yourselves to be led astray! The governors of the kingdom, the sole legitimate depositaries of the royal authority in the absence

of our beloved sovereign, have just given to the nation the most evident proof of the paternal sentiments of his majesty, by adopting in his royal name the resolution to convoke the Cortes, in the persuasion that this means will fill with satisfaction all the provinces of the kingdom, and, above all, those who founded on this desire the error into which they have been led. They hope that this resolution will be the signal of general union and concord; persuaded that it is only from sinister intentions, or manifest infatuation, that any one can refuse obedience to the government, the legitimate representative of the king our master, when it adopts the legal means to meet the complaints, the wishes of the nation, and is firmly and sincerely determined to carry its resolution into effect with all possible promptitude.

“ Portuguese who were deluded! show to your countrymen, to all Europe, that your momentary error did not arise from want of loyalty, or from ambitious projects, and do not give ear to the perfidious instigations which may be made you. Remember that the first duty, the first wish of every good Portuguese, is to maintain the independence of the monarchy, and its unity indissoluble.

“ The governors of the kingdom solemnly promise, in his majesty's name, entire amnesty to those who promptly return to their duty, and submit to the lawful government; declaring besides, that in every case, secure of the loyal sentiments of the great majority of the Portuguese, they are resolved to cause the authority of his majesty to be re-

cognised in the whole kingdom.”

[Signed by the Governors of the kingdom.]

September 4.

Proclamation—The Governors of the Kingdom to the loyal and valorous Portuguese Army.

“ Commanders, officers, and soldiers of the heroic Portuguese army! who were the admiration of Europe, the terror of the enemy, and the firm support of the independence of our country—listen now to the voice of that same country which calls to you, that after having saved it by your valour in the obstinate struggles of war, you may save it, by your unchangeable loyalty, from the horrors of civil war, and from anarchy.

“ Yes, generous Portuguese soldiers, it is in the name of our country, in the name of our king, that the governors of the kingdom now address you. They intrust to the great majority of the Portuguese army the preservation of the public tranquillity, of the unity of the monarchy, and of obedience to the legitimate government; and deploring the momentary blindness of a part of the same army, which has unfortunately suffered itself to be misled, they offer an entire amnesty, persuaded that your noble example will open their eyes and re-unite them to the only legitimate centre from which the happiness and liberty of the Portuguese nation can emanate.

“ Soldiers! The governors of the kingdom, as organs of the sentiments of our august sovereign, have just convoked the Cortes, and are labouring with the greatest activity to accelerate their meeting.

“ You will shortly see united the three estates of the kingdom, conformably to the fundamental laws of our monarchy. This is the only legal means of consulting the wishes of the nation, of listening to its complaints, and of adopting the permanent measures necessary to re-establish the ancient edifice of our constitution, decayed by the lapse of time. The king and the three estates of the kingdom, clergy, nobles, and people, are the majestic columns which are to support it. Let us not be deluded by the ambition which disguises itself under specious pretences. We all desire the amelioration necessary for the prosperity of the monarchy, but we desire a reform, and not a revolution; the effects of which would be the subversion of this same monarchy, the dissolution of the various parts which compose it, and, in the end, its subjection to a foreign yoke, frustrating the efforts which you made for its independence in the field of battle.

“ Soldiers! Do not give ear to the suggestions of the evil-minded, who endeavour by every means to inspire you with unjust distrust in the government, and to excite the army, to which it belongs to defend the king and the nation, violently to dictate laws which, to be prudent and permanent, ought only to emanate from the deputies of the nation and from the throne.

“ The governors of the kingdom assure you, and time will shortly prove, that they are firmly resolved to fulfil the solemn promise which they made. Do not credit those who insidiously suggest to you that the government seeks to gain time by announcing

the convocation of the Cortes, and that it calls in the aid of foreign troops to silence the voice of the Portuguese. The governors of the kingdom assure you that they neither expect, nor have asked, nor are inclined to receive, such aid; they abhor the idea of seeing the blood of their countrymen shed in a civil war, and only trust you will assist in fulfilling the most sacred duty of maintaining, unimpaired, the unity of government which is lawfully intrusted to them: continue to be by your loyalty, as well as by your valour, the example and the envy of foreign nations; the greatest glory, the greatest happiness await you; the sovereign and the nation will owe to you their safety, and our posterity will bless your names. God save the king.

“ The Cardinal Patriarch, Marquis de BORBA,

“ Conde de PENICHE,

“ Conde de FEIRA,

“ ANTONIO GOMEZ RIBEIRO.

“ Lisbon, in the Palace of the Government, Sept. 6, 1820.”

Proclamation of the Provisional Junta to the Portuguese Nation.

“ Portuguese! — The Provisional Junta of the supreme government now, more than ever, has occasion to address you with sincerity and frankness. It would not be necessary in your eyes to justify the motives of the resolutions taken, and the assiduous labours it has enthusiastically undertaken in your cause and the salvation of our beloved country. The purity of its intentions, the regularity of its proceedings, its firmness in sustaining those promises given, and the unceasing watchfulness with which it has

laboured to complete the grand edifice of public organization, must be already known to you.

“ The Lisbon governors, as soon as informed of the occurrences in the northern provinces, and of the ardent enthusiasm so rapidly spreading, pondered on the state of public opinion and the effects of our demands, and only when they learnt that the two generals of Tras-os-Montes and Beira had mutually joined with a view to suppress the national feeling, to rivet the chains of the people, and retain them in the extreme abjection and misery in which they were already sunk, did they awaken from their lethargy, and dared to proclaim that a million of Portuguese, who aimed at being happy, were rebels to their king; that a Junta, which upheld such incontestable rights, was intrusive; that their useful and glorious labours were an overthrow of public order; that the Cortes only could be convened by the king, and that the whole nation ought in silence to await the measures so oftentimes demanded and promised, and as often refused.

“ We could not for a moment suppose that the Lisbon governors expected by such absurd principles and captious phrases to disunite Portuguese, arm them against each other, and to our other distresses add that of a civil war. They are men; and in the human breast such a black and vile project could not be harboured. This, however, would be the inevitable consequence of their rash plans, if, in the minds of Portuguese, the sacred ties of nature, religion, and of patriotism, did not exercise all their influence.

“The Junta was not alarmed at these specious measures of the Lisbon governors, because it knows your hearts, and is firm in its principles. Its members are not rebels against their king, because they love him, and have sworn to fix and maintain the independence and glory of his throne, which the governors of the kingdom had depreciated by their inept administration, and allowed to be undermined by odious parties. It is not intrusive because it was established by the unanimous voice of a numerous people, who wished to escape from inevitable ruin. It does not subvert public order—this it rather restores. But, why seek to explain to you what you already know from your own observations? The Junta will go on firmly, and you have yourselves already seen the happy effects of its constancy. The brave troops of *Tras-os-Montes* and *Beira* have successively left their generals, and are already united to the cause we have sworn to defend. General *Silveira* himself has taken the oath to this same cause. The inhabitants of the three northern provinces have also been enabled to declare their sentiments without disguise, and are about to march to meet their brethren, who, with equal enthusiasm, await their coming.

The Lisbon governors are not ignorant of these late events, so contrary to their hopes, and so much opposed to the retention of their power and administration. Now, however, they recur to another more insidious, though equally useless artifice, in order to alienate their minds, and persuade you, that through them you will find remedies for the public

misfortunes. They tell you they are about to convene the Cortes, by particular instruction they have from the king our lord, for urgent cases.

“Mark well, illustrious Portuguese! On the 29th of August, no one had the power to convene the Cortes but the king. The people who demanded them were rebels. Then there were hopes of turning public opinion, of suppressing the general feeling, and of sowing discord. On the 2nd of September, the Lisbon governors had received particular instructions to convene the Cortes in urgent cases. And what greater urgency could there be than public misfortunes, so long felt and lamented? What greater urgency than the demands of the nation, so often, and in so many ways, repeated in private and in public? What greater urgency than the fatal division of Portuguese into three well-known parties, and never suppressed by the Lisbon governors? What greater urgency than the cry of a whole province, that raises itself from the abyss into which it had been plunged? Yet this province then was rebellious, because hopes were still entertained of suppressing and devastating. The general cry was then the voice of insubordination, and, as such, was to be punished and suppressed. The misfortunes of the country did not touch their hearts, because they were not heard or felt in their stately and luxurious palaces.

“Now, however, they themselves wish to convene the Cortes; but in what manner? For what purpose? With what intentions? Is it, perchance, to see things regulated by justice, and consequently their power diminished?

Is it to remedy the malversation of the administrators of the public revenue, and to benefit national agriculture, industry, and commerce? Is it to revive our ruined navy? Is it to establish just laws, capable of maintaining peace among the people, and securing their rights, such as will suppress abuses and crimes nearly naturalized among us; such as will restore public order, and establish our felicity on fixed and permanent bases? Is it to define the sacred rights of the nation, and trace out the just limits of power and obedience? Is it, finally, in order to give us a staple constitution, such as we require—one that will be a rampart of public liberty, and the solid foundation of a just throne?

“ Ah! no—do not deceive yourselves, Portuguese! If these were the intentions of the Lisbon governors, long ago they would have been performed; for it is long since our wants have reached their climax. They themselves now acknowledge that the king’s instructions provided for this, in urgent cases. Did not public misery suffice?

“ They tell us they are about to establish a committee of chosen persons to consult on the method of convening and holding the Cortes—persons chosen by them, and possessing their confidence—persons under their influence—persons who certainly will spin out their labours till the time when the nation is involved in discord, when the public ardour and enthusiasm are extinguished,—when a foreign army possibly may have come to subjugate us, and render our chains more heavy; till, finally, through measures of rigour and severity, the wishes of

the people may be eluded, and the nation again plunged into a still deeper abyss.

“ No, illustrious Portuguese!—no, valiant national troops!—Do not suffer yourselves to be deceived. You already know what you have to expect from the pompous promises of the Lisbon governors. Firmness and constancy are the virtues which will crown our projects with success, and of these the Junta will give you the most signal example, pledging to spill the last drop of their blood in your service, and bury themselves under the ruins of public liberty, or succeed.

[Signatures.]

“ Oporto, Sept. 8, 1820.”

Letter addressed to the King by the Provisional Junta of the Supreme Government of the Kingdom, established at Oporto.

Sire;—One of the first and principal sentiments which animates the loyal hearts of the Portuguese people is, beyond doubt, the love they profess to the sacred person of your majesty, and the sovereignty of your august house.

If it were necessary to give to your majesty proofs of this truth, it would be easy for us to find them in Portuguese history, from the happy foundation and establishment of the most serene house from whom your majesty is descended, up to our own time. It will, however, suffice to remind your majesty of the two remarkable and glorious periods of 1640 and 1808, in which this heroic and loyal nation prides itself on having given to the whole world the most authentic, and at the same time the most solemn testi-

monies of its sincere attachment to the august house of Braganza, and to the royal person of your majesty, since there was then no sacrifice the people did not endure with pleasure, in order, in the first instance, to place on the Portuguese throne Don John IVth, and, in the second, to restore to your majesty the rights of the sovereignty, of which a perfidious invasion sought to strip you.

It is not possible, Sire, that a great, enlightened, and heroic people could preserve such sentiments as these, with invariable firmness, so as to identify them with their existence and felicity, without being intimately convinced, not only of the princely virtues which adorn the heart of your majesty, and are, as it were, hereditary in your royal family, but also that the prosperity, greatness, and glory of the monarchy, are, in some measure, inseparable from the preservation, stability, and splendor of a throne, which, on all occasions, the Portuguese have respected and venerated.

Since these, therefore, are the sentiments and conviction of the Portuguese, and this happy correspondence between kings and people, being the most certain and secure bond of public felicity, it would appear desirable that this nation, in other respects so favoured by nature, and in former times so prolific in great men and renowned deeds, if she should not retain the eminent rank she had attained among the other nations of Europe, and from which untoward circumstances and foreign ambition succeeded in casting her down, at least, that her past glory, should

not be entirely obscured, and herself reduced to a state of political dissolution and internal misery, already seen and felt among us, with as great affliction to the hearts of all good Portuguese, as astonishment and dismay in the breasts of foreigners.

This is not the time, Sire, minutely to describe the public evils in which the nation was plunged, and was about entirely to be sunk, nor to wound the paternal heart of your majesty with the various causes. The progressive and rapid decline of our agriculture, industry, and commerce; the almost total extinction of our mercantile and royal navy; the ruin of our treasury and national credit; the scandalous malversation of public agents; the defective administration of justice; in short, an alarming inundation of all kinds of vices, usually attendant on indigence and the loss of dignity, had undermined the public morals of all classes of the state. These, Sire, are the first outlines of the sad picture which we purposely hide from the eyes of your majesty.

To complete our evils, your majesty was wanting to us, that you might hear the prayers of your people on the spot; your throne was wanting to us, under the shadow of which the unhappy and oppressed took refuge, and found a benign and ready remedy to their sufferings. We were exposed to parties and factions, which at each moment might have disturbed public tranquillity, and brought upon us incalculable misfortunes. Foreign nations, in short, beheld us with indifference, if not contempt, and possibly some of them were speculating

on our future fate and existence, as they formerly had done on our resources and riches.

This situation, the most unhappy in which could be plunged a nation certainly worthy of a better lot, lasted, in various degrees, many years, during which period the Portuguese endured their adversities with incredible forbearance, waiting with respectful silence till your majesty should be informed of their sufferings, through the organ of those in whose hands your majesty had placed the fortunes and happiness of your people.

But, Sire, the patience of men, and more particularly of nations, has its term. The public hopes were found frustrated; yet the grievances increased at every moment. Universal disgust, profoundly felt, and with difficulty hitherto suppressed in the hearts of the Portuguese, increased with the scarcity of bread amidst abundance, and this was followed by the extreme cheapness of home manufactures; dreadful hardships to the lower classes, who at the same time are the most numerous, and always the forerunners of violent commotions among the people, always fatal and often bloody. A sad and ominous inquietude manifested itself among the people, indicating some great catastrophe. Every body dreaded the moment of explosion, and no one saw the means of avoiding it. In short, Sire, there was no other alternative left, but to await the results of a general and popular disorder, exposing the nation to utter ruin, or to prevent it in such a manner, as by securing to the people the benefits of a public regeneration, the horrid and

bloody picture of anarchy might at the same time be removed from their eyes.

A council of military men, friends of the throne and of the nation, with noble courage and firmness, determined to adopt the second means, of which the execution commenced in the city of Oporto, on the 24th August of the present year. Those same military men who, in 1808, and the following campaigns, employed their heroic zeal and valour in restoring to your majesty the crown of your august ancestors, and to the Portuguese their liberty and independence, as well as their honour, were they who now, without deviating from their loyal sentiments and principles, are anxious to secure that same crown on the brows of your majesty, and your august descendants, by giving to the royal throne of your majesty, a just constitution for its basis, and, as an ornament, the prosperity and glory of the Portuguese people.

Your majesty will see by document, No. 1, the spirit in which this difficult and dangerous work was conceived and undertaken. The firm adhesion to the holy religion of our forefathers, to the sacred person of your majesty and your august dynasty—the convocation of the Cortes, who, organised in a manner suited to the state of the nation and the acquirements of the age, may be enabled to establish the fundamental laws of the monarchy, and again raise it to the high degree of splendor from which it had unhappily fallen. Such are the firm and secure bases on which those brave soldiers, directed by the general wishes, conceived that the majestic edi-

fice of public happiness ought to be raised.

All the authorities, ecclesiastic, civil and military, without any opposition, united with wishes so solemnly pronounced, and the 24th of August was a day of public rejoicing and national gladness for the numerous inhabitants of the second city of the kingdom.

In consequence of this same act, it is we who now have the honour of addressing your majesty, who were then called upon to form a provisional junta, the depositary of the supreme government of the kingdom, and in the name of your majesty to take upon us the difficult charge of the public administration. And we can assure your majesty, with the utmost truth and candor, derived from the testimony of our own consciences, that in the above moment, which might have appeared dangerous, all our cares, all our labours, all our sacrifices, were solely directed to the salvation of our dear country, the preservation and glory of the august throne of your majesty, and the public felicity of Portugal. The other documents marked 2 and 3, will clearly and distinctly prove the pure sentiments by which we were then animated, and still continued to be guided.

It would be tedious to offer to your majesty a minute detail of all the events which daily happened, and all the measures we adopted, and which appeared conducive to the public good under such critical circumstances. These measures did not exceed the limits prescribed by the existing events, and the suspension itself of the British officers who served in our army, was suggested

and ordained by the public wish, and by the general demand, and was executed with all the prudent moderation and temperance that were conformable to our duties, the distinguished services of those same officers, and the respect due to a friendly and allied nation.

Your majesty will form a better opinion of our proceedings in so difficult a crisis, and will justly appreciate the state of public opinion, when with the greatest truth we assure you, that in the space of twenty days, the troops and people of three provinces of the North, and even part of Estremadura, declared for the general cause, with an unanimity so decided, that it could have arisen out of no other cause than a deep sense of the public calamity, and the ardent desire of a new order of things.

The great majority of the people, authorities, and corporations, displayed no doubt or resistance, and took the oaths according to the form expressed in No. 1. Not the slightest disorder took place; no outrage on property or public and personal tranquillity; not a single insult to any one authority; in short, one and the same cry was every where heard. Few persons hesitated in their determinations and sought to oppose force, but their efforts were useless; they soon joined us, and in the capital the public opinion displayed itself in the memorable event of 15th September, of which your majesty will already be informed; and since which we can assure your majesty there has only been one will and one language in the two kingdoms of Portugal and Algarve.

We ought not to hide from

your majesty, although it is painful to state it, that the late governors of the kingdom, either ignorant of the manner in which we had been called to the exercise of the public authority in the name of your majesty, or because they had not correct information of the events, did us the injustice to stigmatise us with the odious name of rebels in their proclamation of the 29th of August.

Your majesty will find, in your own mind, and in the sentiments of your royal heart, sufficient motives to acquit us of so foul a charge. Our answer your majesty will see in the letter and proclamation, No. 4 and 5, and our apology was at once pronounced, by the spontaneous and unanimous resolution of this capital on the 15th, immediately followed by the general consent of the people of the kingdom. The governors of the kingdom could no longer recover the public confidence, when, by the convocation of the Cortes, they seemed desirous of consulting the national wish, and their power ceased on that same day, by the institution of a provisional government, which was immediately communicated to us, Document No. 6.

From that moment we were guided by no other interest, no other object, than to unite the two Juntas, in order to give to the government that unity, and to public affairs that regularity, necessary, under such critical circumstances. Reason and justice require, however, that we should inform your majesty that the provisional government established in Lisbon, after exerting themselves in the most assiduous

manner to fulfil their arduous and important duties, also co-operated in the most frank, generous, and cordial manner, proving that they were directed only by one interest, and anxious only for the union, peace and public felicity.

The act No. 7, completed this union, and removed all room for discord. We entered this capital on the 1st instant, and were most cordially and enthusiastically received by all classes. From that moment we jointly take part in the public administration, and labour to prepare the convocation of the Cortes, according to the manner pointed out in the afore-said act.

Such, Sire, is the short sketch of the principal events which commenced and ended in the short period of 32 days, without spilling a drop of blood, without a single disorder or misfortune; events which do honour to the nation and the history of your majesty's reign, and excited the admiration of the people of Europe, by placing the noble and generous character of the Portuguese in its proper point of view.

One thing alone remains to crown the unanimous wishes of the Portuguese people, and bind them still more to your majesty and your august house, to consolidate their regeneration and felicity, in order to give to this grand work the last seal of greatness, and that is, that your majesty will deign to listen to the prayers of your people, and accept their wishes for your majesty's presence, or a person of your royal family, who, in your royal name may govern us, approve the constitution of the

Cortes, which the nation so ardently desires, &c. &c. &c.

[Seventeen Signatures].

Lisbon, Oct. 6, 1820.

Official Correspondence between Lord Beresford and the Supreme Junta.

The Marquess de Campo Mayor, marshal in chief of the armies of the united kingdoms of Portugal, Brazil and Algarves, near the king's person, was inexpressibly astonished at the communication he received from the new government established in Lisbon, in which the latter refuses to receive the marshal in chief, and acknowledge him as such, as it is bound to do, since he has recently received, through the favour of his most faithful majesty, honours, which he alone can grant; and if the government proclaims him as the head of the nation, it in no way can or ought to alter the precepts of the monarch, and in this case the nation does, or does not acknowledge him. If it does acknowledge him, it ought to preserve to him this undeniable authority; and if it does not acknowledge him, the whole of Europe will feel this offence, but more especially England, and insist on the observance of her treaties, as sincere as they are ancient.—On board the *Vengeur*, &c.

Answer.—The supreme government of the kingdom, in acknowledging his most faithful majesty as the head and chief of the nation, declares to lord Beresford, that the nation has at present reassumed all the rights belonging to it, in order to recover its happiness.—Lisbon, Palace of Government, &c.

Lisbon, Oct. 11.

The following is a copy of the noble marshal's commission.

“I, Don John, by the grace of God, &c. make known, by these presents, that the great and signal services which the marquis of Campo Major, marshal-general and commander-in chief of my army in Portugal, has done me, having been considered worthy of my royal regard, and seeking to give him a new public testimony of the particular esteem in which I hold them, and of the honour and confidence which he merits, I have raised him to the eminent post of marshal-general, attached to my person. I determine, in consequence, to place under his immediate authority all the military corps of the three services: and all the objects which belong to the discipline, equipment, and recruiting of the army, the state of the garrisons, and any fortifications to be made for the defence of the kingdom of Portugal and the Algarves, the royal arsenals of the army, the foundries, the public military works, the authorities and civil jurisdiction of the army, the military college, and every thing that relates to the execution of the regulations, laws, and commissions, which military law has determined, or may afterwards determine, regarding all or any of the above objects, referring immediately to me all his plans or propositions, of whatever nature, that I may sanction them by my royal will through the competent minister; and when the proposals for promotion are made out of the kingdom, where I have fixed my residence, he will have the power to grant the exercise of their commissions to ensigns, lieutenants, and captains, till I issue

my royal sanction for that purpose. Finally, I ordain that, in whatever part of my united kingdom the said marshal-general attached to my royal person, shall be, beyond the district of my immediate jurisdiction, the governors and generals must afford whatever he may require for the knowledge of the state, discipline, and economy of the corps, or of the state of the fortifications existing, or necessary to be corrected or increased. And I command all the authorities, both civil or military, and all my subjects of all classes, as far as it lies in their power, to obey and to assist the aforesaid marshal-general attached to my royal person, in the discharge of the obligations and authorities, which, by these letters patent, I impose upon him, or with which I invest him.—[Signed and countersigned as usual.]

“Given July 29, Rio Janeiro.”

*To his Excellency Marshal
Teixeira, &c. &c.*

The people of this capital, seeing that the Preparatory Junta of the Cortes have not acceded, in the full extent, to the requisition which the judge of the people of Lisbon presented to them, in the name of the said people and army, manifesting that it was the will of the people, and absolutely necessary for the good of the nation, that the deputies should be elected according to the method, and under the circumstances prescribed by the Spanish constitution, considered that their rights had been neglected; and the people and army, being desirous to prevent that act of the plurality of the Preparatory Junta of the Cortes

from being rendered injurious to the nation, for this reason they recur to your excellency, as commander-in-chief of the armed force of the north and south of Portugal, now in this city, that you may take the same into your consideration.

For this reason they appeal to your excellency, in order that, assembling the army, you may proclaim the Spanish constitution, which being modified by the Cortes convened after the Spanish manner, it may be adopted and appropriated to the usages, customs and locality of Portugal, without altering its essential parts and the liberal ideas it contains. On this subject we rely on the patriotism of your excellency.

(Signed)

JOÃO ALVES, Judge of the People.

VERISSIMO JOSE DA VEIGA, Secretary.

Lisbon, Nov. 11.

[See also pp. 405 and 435, *antè*.]

FRANCE.

Royal Proclamation.

“Louis, by the grace of God, king of France and Navarre, &c.
“Frenchmen!—At the moment when the law which guarantees the complete independence of your suffrages, which secures a more equal representation of your interests, is about, for the first time, to be carried into execution, I am desirous that you should hear my voice. The circumstances are weighty. Look within and around you; every thing will point out your dangers, your wants, and your duty. A liberty, strong and legitimate, has been acquired for you; it is founded on laws emanating from my love for my people, and from my ex-

perience of the times in which we live. With these laws it depends on you to secure the repose, the glory, and the happiness of our common country: you have the desire; learn to evince it by your elections. Liberty can only be preserved by wisdom and loyalty; exclude from the noble office of deputies the fomenters of disturbance, the creators of discord, the propagators of injurious outrages against my government, my family, and myself; and should they ask you why you reject them, display to them this France, so depressed five years since, but now so miraculously restored; arrived at last at the point of receiving the reward of so many sacrifices, of seeing her imposts diminished, her public expenditure in all its branches lightened. Tell them that it is not when every thing flourishes, every thing prospers, every thing is improving in your country, that you would put to the hazard of their senseless reveries, or abandon to their perverse designs, your arts, your industries, the harvests of your fields, the lives of your children, the peace of your families; in fine, a happiness which all the nations of the earth envy. On all sides a crowd of citizens present themselves for your suffrages, who are sincere and zealous friends of the charter, equally devoted to the throne and to the country, alike opposed to despotism and to anarchy. Chosen from among these, your deputies will co-operate with me in maintaining that order, without which no society can exist; and I shall unite with them in preserving those liberties which have ever found an asylum in the throne of

my ancestors, and which I have twice restored to you. The world expects of you high examples, and you owe them to it the more for having yourselves rendered them necessary. In presenting to the nations the spectacle of that liberty which so powerfully affects the mind, you have given them a right to demand of you an account of the errors into which it might lead them. Teach them, then, to avoid the shoals with which your course has been beset; and prove to them that it is not upon wrecks and ruins, but upon justice and a respect for rights, that free institutions are founded, and become firm. It is thus that, taking the lead in civilization, France, in the midst of the agitations which surround it, should remain calm and confident. United with its king, its prosperity is placed above every attack; the spirit of faction alone could compromise it. Should it dare to display itself, it shall be repressed—within the chambers by the patriotism of the peers and of the deputies—and out of the chambers by the vigilance of the magistrates, the firmness of all that is armed for the protection and the maintenance of the public peace, and, above all, by my unshaken determination.

“Frenchmen!—You have given me a recent testimony of the nobleness and generosity of your sentiments—you have participated in the consolations which Providence has lately granted to me and my family. May this pledge of perpetuity, which heaven has given to France, prove the happy pledge of the re-union of all who are sincerely desirous of the institutions which I have

given you, and, with them, of the order, the peace, and the happiness of the country !

“ LOUIS.”

“ Given at the Castle of the Tuileries, 25th October, 1820.”

The King's Speech in opening the Session of the Two Chambers, December 19.

“ Gentlemen ;—Arrived at the termination of a year, marked at first by the most grievous events, but so fertile since in consolation and hopes, we ought, before it closes, to return thanks to Divine Providence for all his mercies.

“ Mourning was in my house, but a son has been granted to my ardent prayers. France, after mingling her tears with mine, has participated in my joy and my gratitude, with transports, which I have deeply felt.

“ The Almighty has not limited his protection to this event : we owe to him the continuance of peace, that source of all prosperity. Time has only served to knit closer the alliance of which France forms a part. This alliance, at the same time that it does away the causes of war, tends to insure us against those dangers, to which social order or the political equilibrium might otherwise be exposed.

“ These dangers become every day more distant, as to us ; I cannot, however, be silent in this solemn communication with my people, respecting those serious circumstances, which in the course of the year have afflicted my heart. But I am happy in being enabled to say, that if the state and my family have been menaced by a conspiracy, too soon following the preceding disorders, it has been made manifest that the French nation is

faithful to its king, and indignant at the mere idea of seeing itself torn from its paternal sceptre, and of becoming the sport of a perturbed spirit, which it utterly detests.

“ This spirit has thus not interrupted the movement which carries France to the days of her prosperity. In the interior a continually increasing success has crowned the efforts of that laborious activity which is equally applied to agriculture, to the arts, and to industry.

“ The amelioration of the revenue of the state, the economy which I have prescribed, and the solidity attached to credit, allow of being proposed to you, even in the present session, a further diminution of the direct taxes. This alleviation will be so much the more efficacious, as it will produce a more equal division of the public burthens.

“ Such a result renders more dear to me the duties which royalty imposes.

“ To render perfect the movements of the great political bodies created by the Charter, to place the different parts of the administration in harmony with the fundamental law, to inspire a general confidence in the stability of the throne, and in the inflexibility of the laws, which protect the interests of all, such is the object of my efforts. To attain it, two conditions are necessary, time and repose. We ought not to demand from the infancy of institutions what can only be expected from their entire development, and the habits which they are destined to form ; hitherto we have distinctly recognised that in public affairs patience and moderation are prevail-

ing powers, and those which, of all others, deceive the least. Let us not forget that it would be impossible for government to maintain order, that chief guarantee of liberty, unless armed with a force proportioned to the difficulties which surround it.

“ Every thing announces that the modifications introduced into our electoral system will produce the advantages which I promised myself. Whatever increases the strength and the independence of the chambers, adds to the authority and the dignity of my crown. This session will, I hope, complete the work happily commenced by the last session. In confirming the necessary relations between the monarch and the chambers, we shall succeed in forming that system of government which in all times so vast a monarchy has called for, and which is most imperiously required by the present state of France and of Europe.

“ It is to accomplish these designs that I desire a prolongation of the days which may yet be reserved to me. It is also in order to their accomplishment that we ought to depend, you, gentlemen, upon my firm and inviolable will, and I, upon your loyal and constant support.”

His majesty's speech was received with general acclamations of *Vive le Roi!*

[See also page 715, *et seq.*]

RUSSIA AND POLAND.

Decree for the Expulsion of the Order of Jesuits from the Russian Empire.

“ His majesty the emperor has approved, on the 13th of this month, of a report from the Mi-

nister of Worship and Public Instruction, of which the following is an outline:—

“ The laws of the empire formerly interdicted the entrance of the Jesuits into Russia: nevertheless, at several epochs, and under various pretexts, individuals attached to that religious order found means of penetrating into it. Such contraventions of an express prohibition gave rise, in 1719, to an ordinance of Peter I., by which the Jesuits and their servants were enjoined to depart from the cities and the territory of the empire. The return of White Russia under the Russian sceptre brought into it the Jesuits, who were domiciliated in that province. A short time after that event, the bull of Pope Clement XIV., published in 1773, suppressed the order of Jesuits; deprived them of their employments and dignities, as well as of their property, their schools, colleges, and other establishments; and subjected them to the jurisdiction of the bishops, as well as the rest of the regular clergy.

“ The order, thus dissolved by its supreme chief, had recourse to the protection of the empress Catherine II.; and, after having obtained it, the Jesuits preserved their property in White Russia, the inhabitants of which were freed from all imposts on real property. So great a favour was only, however, conceded to them conditionally. A wise foresight dictated the ordinance of 1792, which only admitted the company of Jesus (Jesuits) under the express clause of conforming to the laws of the empire.

“ By a series of ukases from 1772 to 1782, conformably to the

dispositions agreed upon by the Holy See, the Jesuits were ordered to submit to the jurisdiction of the diocesan bishop, opposing their own rules to the injunctions of their spiritual chief, as well as to the laws of the empire. The Jesuits never ceased to labour to maintain their independence in contravention of the ukase of 1782, which enjoined them to obey the archbishop of Mohilow, with regard to the rules of their company.

“ In 1800, the Jesuits obtained permission to perform religious worship in one of the temples of St. Petersburg, assigned to the Roman Catholic church. The father-general of the Jesuits, relying on the regulations promulgated on the 1st of February, 1769, formed a college where pupils were soon received without distinction. After having transgressed the limits of this regulation, the Jesuits employed all sorts of seductions to detach their young pupils intrusted to their care, as well as other persons, from the communion of the established church, for the purpose of bringing them over to their own. Constantly placing themselves above the laws, the Jesuits, in spite of the imperial ukase of the 14th May, 1801, persisted in not rendering any account of the administration of the funds of the Catholic community—arbitrarily disposed of benefices for which pensions had been substituted—and, so far from discharging the debts with which the church was burdened, they made no scruple of contracting new ones. It may, in fine, be stated, that the Jesuits did not know how to conciliate the confidence of a paternal go-

vernment, by offering, in the domains which had been left them, the model of that peaceful prosperity which charity founds even here below. The indolence and the bad condition of the peasants on their lands were little calculated to attest their faith by their works.

“ So many encroachments on, and so many violations of, social and ecclesiastical laws, determined his majesty, in 1815, to order the departure of the Jesuits from St. Petersburg, with a prohibition of ever entering again the two capitals.

“ Meanwhile, whatever was the manifest urgency of that act of justice, the emperor was pleased to prevent any consequence that might be prejudicial to the Romish worship. The debts which burdened the church, and which amounted to 200,000 roubles, were discharged by the imperial treasury, and provision was made that the exercise of public worship might meet with no interruption.

“ The Jesuits, although sufficiently warned by the animadversions which they had incurred, did not change their conduct. It was soon proved, by the reports of the civil authorities, that they continued to draw into their commission the disciples of the orthodox faith placed in the college of Mohilow, and that in contempt of obligations which are imposed on a tolerated communion by the protection which it enjoys. Then the Jesuits were prohibited from receiving into their schools any other pupils but those of their own persuasion. Without regard to the bulls of the Holy See and the laws of the state, which forbid the aggrega-

tion of the united Greeks to the jurisdiction of the Roman ritual, the Jesuits laboured to draw them over to them in places even where the presence of Greek priests rendered this usurpation inadmissible. At Saratoff, and in some parts of Siberia, under pretext of exercising their functions, they introduced themselves into districts where their ministry did not call them, and their spirit of proselytism was displayed by new suggestions in the government of Witepsk. The ministry of public worship did not fail to point out these transgressions to the general of the order. The admonition was fruitless. So far from abstaining, like the established (Greek) church, from all means of seduction, the Jesuits continued to sow troubles in those colonies which professed the Protestant worship, and even proceeded to such violence as to seduce Jewish infants from their parents.

“ Such is the simple exposition of facts. We do not stop here to detail the circumstances which aggravate them; they present themselves to every rightly constituted mind.

“ Perhaps, in 1815, their dismissal beyond the frontiers of the empire would have obviated the grave inconveniencies which now render it necessary. But a noble repugnance to withdraw a benefit before grave causes evinced its absolute necessity, and the paternal solicitude of his majesty that his subjects of the Roman Catholic worship might not be deprived of the Jesuit priests of their communion till their place could be supplied by other ecclesiastics, determined the emperor to mitigate the pe-

nalties which the order had incurred. But now the minister of worship thinks it his duty to submit to the emperor a system of provisions, of which the following is an extract:—

“ ‘ 1. The definitive banishment of the Jesuits beyond the frontiers of the empire, with a prohibition of re-entering under any form of denomination whatever.

“ ‘ 2. The suppression of the academy of Jesuits at Polotsk, and of its dependent schools. The students of these establishments who were destined for the secular clergy will continue their studies in the diocesan seminaries, or in that established in the university of Wilna. Those who belong to the regular clergy will study in the convents. New houses of education will be established in the governments of White Russia, if necessary.

“ ‘ 3. The Metropolitan archbishop will immediately provide a sufficient number of priests to supply the place of the Jesuits in the parishes where the knowledge of the Polish language is necessary to the clergy. They shall also be replaced by other ecclesiastics in parishes whose inhabitants know neither Russian nor Polish; but as persons fit for this situation cannot be easily procured, the departure of the present incumbents shall be delayed till the arrival of those who are to take their places.

“ ‘ 4. The Jesuits domiciliated in the governments of Mohilow and of Witepsk shall be sent beyond the frontiers without any delay. Those, however, who manage the property of the order, shall not be sent away till they have given up their funds.

“ ‘ 5 and 6. These contain measures of precaution to be observed in the mode of giving up the real and personal property.

“ ‘ 7. The funds given up by the Jesuits shall be put out at interest in the office of public succour.

“ ‘ 8. The chambers of finance are intrusted with the management of the real property of the order. Its returns shall be employed for the advantage of the Roman church, and for works of piety.

“ ‘ 9. The government will provide for the expenses of removing the Jesuits.

“ ‘ 10. The civil governors shall render an account of the period of departure, and of the road which they take to the frontiers.

“ ‘ 11. Such Jesuits as were born in Russia, and who have not yet taken the orders, may remain in the empire, return to the bosom of their families, or procure admission into some other monastic order. The same privilege is allowed to those who, having already pronounced their vows and taken orders, may wish to have recourse to the Holy See, in order to obtain permission to enter any other monastic order, or to transfer themselves to the secular clergy. They may address their demands on this subject to the government, which will transmit them to the Pope, and support them with its intercession.

“ The emperor, having deigned to approve the whole of these measures, has ordered the Ministry of Public Worship and Instruction to make a report thereon to the directing Senate. His majesty has, at the same time, commanded the Ministry of the Interior to issue strict injunctions

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to the local authorities intrusted with the final removal of the Jesuits, to take vigilant care that age and infirmities may obtain all that consideration and delicate attention which are required by humanity and by the precepts of religion.”

ADDRESS TO THE POLISH DIET.

“ *Warsaw, Sept. 16.*

“ Representatives of the kingdom of Poland!—It is with real satisfaction that I find myself a second time among you, and with pleasure renew to you the assurance that I follow the impulse of my heart, and carry into execution one of my dearest wishes, when I assemble you here to co-operate in the maintenance and development of your social institutions.

“ My confidence in you has been the origin of these institutions; your confidence in me will consolidate them.

“ My object, when I gave them to you, was, to combine the power of the sovereign with the intermediate power—with the rights and legal wants of society.

“ I consider these bonds as indispensable; but, to be durable, they require a support, in want of which every thing earthly decays and degenerates.

“ Let us not forget that institutions of this kind are only human work. Like man himself, they want a support for their weakness, a guide against error; and, like him, they can only find such a support and guide in Christian morality, and its divine doctrines.

“ You have remained Poles: you bear that honourable name; but I have told you once before, that only the application of the

principles of beneficent morality can restore to you so honourable a right. Follow, therefore, on your part, those wholesome doctrines; draw from their source that sense of probity which they command you, both towards yourselves and others; draw from them that love of truth which aims at truth alone, which hears and speaks only her language; then you will powerfully support me in consolidating the work of your regeneration.

“I have spoken to you the words of truth; for it is truth that I ask from you. I wish to hear it from your mouths; let me hear it with frankness, but also with composure and cordiality.

“It will appear to you in full light as soon as you seek it in reality, and not in vain abstractions—as soon as you judge of your situation according to the testimony of events, and not according to theories, which in our days, fallen or rising ambition endeavours to bring forward.

“Lastly, truth will mark your opinions, as soon as you regard only the voice of the great interests that are confided to you—as soon as you banish from your recollections all acrimony, every partial object, and thus show yourselves worthy of your honourable mission.

“Then, and not before, you will have fulfilled your obligations; I will now fulfil mine.

“My ministers will lay before you a view of all the measures of organization and administration which have been adopted within these two years. You will, doubtless, recognise with joy the good which they have effected, when you compare it with all those evils, the deceptions of which were to be effaced. The

wish to attain this object has, perhaps, not always followed the way which the form of administration that I readily gave you, prescribed. Perhaps, too, urgent and simultaneous wants have caused by their concurrence an increase in the necessary expenditure.

“My views, however, have not changed; and it is my firm will, that, in future, the regulations once laid down shall be strictly adhered to, and the most scrupulous care be taken to economize the resources of the payers of the contributions.

“The wishes that you have laid before me have been most seriously considered. You will hear how they have been partly satisfied already, and shall in part be fulfilled in future. You will hear why it has been necessary to delay the accomplishment of some—to renounce that of others. Among those which the government has willingly granted are the projects of law which will be laid before you.

[His majesty then enumerates some of these proposed laws, which he desires they will thoroughly examine when submitted to their consideration; and concludes as follows:—]

“Representatives of the kingdom of Poland!—Show your country that supported by your experience, your principles and your sentiments, you know how to maintain a peaceful independence, a pure liberty, under the protection of your laws; show your contemporaries that this liberty is a friend to order and its blessings—that you reap the fruits of it, because you know how to resist, and will always resist, the insinuations of envy—the danger of example.

“ There are countries where use and abuse are placed in one and the same line—where the spirit of evil excites the vain want of slavish imitation, and again attempts to recover its dreadful sway. Already it predominates in one part of Europe—already it heaps those crimes and convulsions on each other.

“ Notwithstanding these unhappy events, my system of government will remain always the same. I have drawn its principles from the most profound sense of my duties.

“ I shall always fulfil those duties scrupulously. But this would not be perfectly done, if I were blind to the great truths which experience teaches us.

“ Doubtless the age in which we live requires protecting laws, as the basis and guarantee of social order. But our age also imposes upon princes the duty of preserving those laws from the mischievous influence of ever-restless, ever-blind passions.

“ In this respect a heavy responsibility lies on you, as well as on me. It commands you faithfully to follow the path which your judgment, your upright sense of duty, prescribes to you. It commands me frankly to warn you of the dangers that might surround you, in order to defend your constitution against them; it obliges me to judge of the measures on which I am called to decide, according to their real consequences—not according to the appellations with which party spirit endeavours sometimes to blacken, sometimes to adorn them. Lastly, it obliges me, in order to prevent the production of evil, or the necessity of violent remedies, to root out the seeds of destruction as soon as they appear.

“ This is my unalterable resolution. I will never negotiate about my principles, nor ever submit to consent to any thing that may oppose them.

“ Poles!—The more firmly the paternal bonds are consolidated which unite you for ever with Russia—the more you are penetrated with the considerations which they awake in you—the more will the career which I have opened to you be extended and facilitated. A few steps more, under the guidance of wisdom and moderation, marked by confidence and probity, and you will be at the goal of your hopes and choice. The experience that the calm operation of your liberty consolidates your national existence, and establishes an indissoluble community of happiness between our two nations, will then afford me a double recompense.”

“ ALEXANDER.”

[See also pages 140 and 725.]

UNITED STATES OF AMERICA.

Message from the President to Congress, on the subject of the treaty with Spain respecting the Floridas:—

“ To the Senate and House of Representatives of the United States ;

“ I communicate to Congress a correspondence which has taken place between the secretary of state and the envoy extraordinary and minister plenipotentiary of his Catholic majesty since the Message of the 27th of March last, respecting the treaty which was concluded between the United States and Spain, on the 22nd of Feb. 1819.

“After the failure of his Catholic majesty for so long a time to ratify the treaty, it was expected that this minister would have brought with him the ratification, or that he would have been authorized to give an order for the delivery of the territory ceded by it, to the United States. It appears, however, that the treaty is still unratified, and that the minister has no authority to surrender the territory. The object of his mission has been, to make complaints, and to demand explanations, respecting an imputed system of hostility, on the part of citizens of the United States, against the subjects and dominions of Spain, and an unfriendly policy in their government, and to obtain new stipulations against these alleged injuries, as the condition on which the treaty should be ratified.

“Unexpected as such complaints and such a demand were, under existing circumstances, it was thought proper without compromising the government as to the course to be pursued, to meet them promptly, and to give the explanations that were desired on every subject, with the utmost candour. The result has proved what was sufficiently well known before, that the charge of a systematic hostility being adopted and pursued by citizens of the United States, against the dominion and subjects of Spain, is utterly destitute of foundation, and that their government, in all its branches, has maintained, with the utmost rigour, that neutrality, in the civil war between Spain and her colonies, which they were the first to declare. No force has been collected, nor incursions made, from within the United States, against the domi-

nions of Spain; nor have any naval equipments been permitted in favour of either party, against the other. Their citizens have been warned of the obligations incident to the neutral condition of their country; the public officers have been instructed to see that the laws were fully executed; and severe examples have been made of some who violated them.

“In regard to the stipulation proposed, as the condition of the ratification of the treaty, that the United States shall abandon the right to recognise the revolutionary colonies in South America, or to form other relations with them, when in their judgment it may be just and expedient so to do, it is manifestly so repugnant to the honour, and even to the independence of the United States, that it has been impossible to discuss it. In making this proposal, it is perceived that his Catholic majesty has entirely misconceived the principles on which this government had acted in being a party to a negotiation so long protracted, for claims so well founded and reasonable, as he likewise has the sacrifices which the United States have made, comparatively with Spain, in the treaty to which it is proposed to annex so extraordinary and improper a condition.

“Had the minister of Spain offered an unqualified pledge that the treaty should be ratified by his sovereign, on being made acquainted with the explanations which had been given by this government, there would have been a strong motive for accepting and submitting it to the senate for their advice and consent, rather than to resort to other measures for redress, however justifiable and proper. But he

gives no such pledge. On the contrary, he declares explicitly, that the refusal of this government to relinquish the right of judging and acting for itself hereafter, according to circumstances, in regard to the Spanish colonies --a right common to all nations --has rendered it impossible for him, under his instructions, to make such engagement. He thinks that his sovereign will be induced, by his communications, to ratify the treaty; but still he leaves him free, either to adopt that measure, or to decline it. He admits that the other objections are essentially removed, and will not, in themselves, prevent the ratification, provided the difficulty on the third point is surmounted. The result, therefore, is, that the treaty is declared to have no obligation whatever; that its ratification is made to depend, not on the considerations which led to its adoption, and the conditions which it contains, but on a new article unconnected with it, respecting which a new negotiation must be opened, of indefinite duration and doubtful issue.

Under this view of the subject, the course to be pursued would appear to be direct and obvious, if the affairs of Spain had remained in the state in which they were when the minister sailed. But it is known that an important change has since taken place in the government of that country, which cannot fail to be sensibly felt in its intercourse with other nations. The minister of Spain has essentially declared his inability to act, in consequence of that change. With him, however, under his present powers, nothing could be done. The attitude of the United States must

now be assumed, on full consideration of what is due to their rights, their interests, and honour, without regard to the powers or incidents of the late mission. We may at pleasure occupy the territory which was intended and provided by the late treaty, as an indemnity for losses so long since sustained by our citizens, but still nothing could be settled definitively, without a treaty between the two nations. Is this the time to make the pressure? If the United States were governed by views of ambition and aggrandizement, many strong reasons might be given in its favour. But they have no objects of that kind to accomplish; none which are not founded in justice, and which can be injured by forbearance. Great hope is entertained that this change will promote the happiness of the Spanish nation. The good order, moderation, and humanity, which have characterized the movement, are the best guarantees of its success. The United States would not be justified in their own estimation, should they take any step to disturb its harmony. When the Spanish government is completely organised on the principles of this change, as it is expected it soon will be, there is just ground to presume that our differences with Spain will be speedily and satisfactorily settled. With these remarks, I submit it to the wisdom of Congress, whether it will not still be advisable to postpone any decision on this subject till the next session.

JAMES MONROE.

Washington, May 9, 1820.

The President's Message to both Houses, at the opening of

the second session of the 16th Congress, transmitted by Mr. J. Monroe, jun.

“ Fellow Citizens of the Senate and of the House of Representatives ;

“ In communicating to you a just view of public affairs, at the commencement of your present labours, I do it with great satisfaction ; because, taking all circumstances into consideration which claim attention, I see much cause to rejoice in the felicity of our situation. In making this remark, I do not wish to be understood to imply that an unvaried prosperity is to be seen in every interest of this great community. In the progress of a nation inhabiting a territory of such vast extent, and great variety of climate, every portion of which is engaged in foreign commerce, and liable to be affected, in some degree, by the changes which occur in the condition and regulations of foreign countries, it would be strange, if the produce of our soil, and the industry and enterprise of our fellow citizens, received, at all times, and in every quarter, an uniform and equal encouragement. This would be more than we have a right to expect, under circumstances the most favourable. Pressures on certain interests, it is admitted, have been felt ;—but, allowing to these their greatest extent, they detract but little from the remark already made. In forming a just estimate of our present situation, it is proper to look at the whole ; in the outline, as well as in the detail. A free, virtuous, and enlightened people, know well the great principles and causes on which their happi-

ness depends ; and even those who suffer most, occasionally, in their transitory concerns, find great relief under their sufferings from the blessings which they otherwise enjoy, and in the consoling and animating hope which they administer. From whence do these pressures come ? Not from a government which is founded by, administered for, and supported by, the people. We trace them to the peculiar character of the epoch in which we live, and to the extraordinary occurrences which have signalized it. The convulsions with which several of the powers of Europe have been shaken, and the long and destructive war in which all were engaged, with their sudden transition to a state of peace, presenting, in the first instance, unusual encouragement to our commerce, and withdrawing it in the second, even within its wonted limit, could not fail to be sensibly felt here. The station, too, which we had to support through this long conflict, compelled as we were, finally, to become a party to it with a principal power, and to make great exertions, suffer heavy losses, and to contract considerable debts, disturbed the ordinary course of affairs, by augmenting, to a vast amount, the circulating medium, and thereby elevating, at one time, the price of every article above a just standard, and depressing it, at another, below it, had likewise its due effect.

“ It is manifest, that the pressures of which we complain have proceeded, in a great measure, from these causes. When, then, we take into view the prosperous and happy condition of our coun-

try, in all the great circumstances which constitute the felicity of a nation—every individual in the full enjoyment of all his rights; the Union blessed with plenty, and rapidly rising to greatness, under a national government, which operates with complete effect in every part, without being felt in any, except by the ample protection which it affords, and under state governments which perform their equal share, according to a wise distribution of power between them, in promoting the public happiness—it is impossible to behold so gratifying, so glorious a spectacle, without being penetrated with the most profound and grateful acknowledgments to the Supreme Author of all good for such manifold and inestimable blessings. Deeply impressed with these sentiments, I cannot regard the pressure to which I have adverted otherwise than in the light of mild and instructive admonitions; warning us of dangers to be shunned in future; teaching us lessons of economy, corresponding with the simplicity and purity of our institutions, and best adapted to their support—evincing the connection and dependence which the various parts of our happy union have on each other, thereby augmenting daily our social incorporation, and adding, by its strong ties, new strength and vigour to the political; opening a wider range, and with new encouragement to the industry and enterprise of our fellow citizens at home and abroad; and more especially by the multiplied proofs which it has accumulated of the great perfection of our most excellent system of government, the powerful in-

strument in the hands of an all-merciful Creator, in securing to us these blessings.

“Happy as our situation is, it does not exempt us from solicitude and care for the future. On the contrary, as the blessings which we enjoy are great, proportionably great should be our vigilance, zeal, and activity to preserve them. Foreign wars may again expose us to new wrongs, which would impose on us new duties, for which we ought to be prepared. The state of Europe is unsettled, and how long peace may be preserved is altogether uncertain; in addition to which we have interests of our own to adjust, which will require particular attention. A correct view of our relations with each power will enable you to form a just idea of existing difficulties, and of the measures of precaution best adapted to them.

“Respecting our relations with Spain, nothing explicit can now be communicated. On the adjournment of Congress in May last, the minister plenipotentiary of the United States at Madrid was instructed to inform the government of Spain, that if his Catholic majesty should then ratify the treaty, this government would accept [the ratification, so far as to submit to the Senate, whether such ratification should be received in exchange for that of the United States heretofore given. By letters from the minister of the United States to the Secretary of State, it appears that a communication, in conformity with his instructions, had been made to the government of Spain, and that the Cortes had the subject under consideration. The result of the

deliberations of that body, which is daily expected, will be made known to Congress as soon as it is received. The friendly sentiments which was expressed on the part of the United States in the message of the 9th of May last is still entertained for Spain. Among the causes of regret, however, which are inseparable from the delay attending this transaction, it is proper to state, that satisfactory information has been received that measures have been recently adopted by designing persons to convert certain parts of the province of East Florida, into dépôts for the reception of foreign goods, from whence to smuggle them into the United States. By opening a port within the limits of Florida, immediately on our boundary, where there was no settlement, the object could not be misunderstood. An early accommodation of differences will, it is hoped, prevent all such fraudulent and pernicious practices, and place the relations of the two countries on a very amicable and permanent basis.

“ The commercial relations between the United States and the British colonies in the West Indies, and on this continent, have undergone no change; the British government still preferring to leave that commerce under the restriction heretofore imposed upon it, on each side. It is satisfactory to recollect, that the restraints resorted to by the United States were defensive only, intended to prevent a monopoly under the British regulations, in favour of Great Britain; as it likewise is, to know that the experiment is advancing in a spirit of amity between the par-

ties. The question depending between the United States and Great Britain, respecting the construction of the first article of the treaty of Ghent, has been referred, by both governments, to the decision of the emperor of Russia, who has accepted the umpirage.—An attempt has been made with the government of France, to regulate, by treaty, the commerce between the two countries, on the principle of reciprocity and equality. By the last communication from the minister plenipotentiary of the United States at Paris, to whom full power had been given, we learn that the negotiation had been commenced there, but, serious difficulties having occurred, the French government had resolved to transfer it to the United States, for which purpose the minister plenipotentiary of France had been ordered to repair to this city, and whose arrival might soon be expected. It is hoped that this important interest may be arranged on just conditions, and in a manner equally satisfactory to both parties. It is submitted to Congress to decide, until such arrangement is made, how far it may be proper, on the principle of the act of the last session, which augmented the tonnage duty on French vessels, to adopt other measures for carrying more completely into effect the policy of that act.

“ The act referred to, which imposes new tonnage on French vessels, having been in force from and after the 1st day of July, it has happened that several vessels of that nation which had been despatched from France before its existence was known, have

entered the ports of the United States, and been subject to its operation, without the previous notice which the general spirit of our laws gives to individuals in similar cases. The object of that law having been merely to countervail the inequalities which existed to the disadvantage of the United States in their commercial intercourse with France, it is submitted also to the consideration of Congress, whether, in the spirit of amity and conciliation which it is no less the inclination than the policy of the United States to preserve in their intercourse with other powers, it may not be proper to extend relief to the individuals interested in those cases, by exempting from the operation of the law all those vessels which have entered our ports without having had the means of previously knowing the existence of the additional duty.

“The contest between Spain and the colonies, according to the most authentic information, is maintained by the latter with improved success. The unfortunate divisions which were known to exist some time since at Buenos Ayres, it is understood still prevail. In no part of South America has Spain made any impression on the colonies; while, in many parts, and particularly in Venezuela and New Grenada, the colonies have gained strength and acquired reputation, both for the management of the war, in which they have been successful, and for the order of the internal administration. The late change in the government of Spain, by the re-establishment of the constitution of 1812, is an event which promises to be favourable to the

revolution. Under the authority of the Cortes, the Congress of Angostura was invited to open a negotiation for the settlement of differences between the parties, to which it was replied, that they would willingly open the negotiation, provided the acknowledgment of their independence was made its basis, but not otherwise. Of further proceedings between them we are uninformed.

“No facts are known to this government, to warrant the belief, that any of the powers of Europe will take part in the contest; whence it may be inferred, considering all circumstances which must have weight in producing the result, that an adjustment will finally take place, on the basis proposed by the colonies. To promote that result, by friendly counsels with other powers, including Spain herself, has been the uniform policy of this government. In looking to the interior concerns of our country, you will, I am persuaded, derive much satisfaction from a view of the several objects to which, in the discharge of your official duties, your attention will be drawn. Among these, none holds a more important place than the public revenue, from the direct operation of the power by which it is raised on the people, and by its influence in giving effect to every other power of the government. The revenue depends on the resources of the country, and the facility by which the amount required is raised, is a strong proof of the extent of the resources, and of the efficiency of the government. A few prominent facts will place this great interest in a just light before you.

“On the 30th of September

1815, the funded and floating debt of the United States was estimated at 119,635,558 dollars. If to this sum be added the amount of five per cent. stock subscribed to the United States, the amount of Mississippi stock, and of the stock which was issued subsequently to that date, the balances ascertained to be due to certain states, for military services and to individuals, for supplies furnished and services rendered, during the late war, the public debt may be estimated as amounting, at that date, and as afterwards liquidated, to 158,713,049 dollars. On the 30th of Sept. 1820, it amounted to 91,993,883 dollars, having been reduced in that interval, by payments of 66,879,165 dollars. During this term, the expenses of the government of the United States were likewise defrayed, in every branch of the civil, military, and naval establishments; the public edifices in this city have been rebuilt, with considerable additions; extensive fortifications have been commenced, and are in a train of execution; permanent arsenals and magazines have been erected in various parts of the Union; our navy has been considerably augmented, and the ordnance, munitions of war, and stores of the army and navy, which were much exhausted during the war, have been replenished. By the discharge of so large a proportion of the public debt, and the execution of such extensive and important operations, in so short a time, a just estimate may be formed of the great extent of our national resources. The demonstration is the more complete and gratifying, when it is recollected that

the direct tax and excise were repeated soon after the termination of the late war, and that the revenue applied to these purposes has been derived almost wholly from other sources. The receipts into the treasury from every source, to the 30th of September last, have amounted to 16,794,107 dollars and 66 cents; whilst the public expenditure, to the same period, amounted to 16,871,534 dollars and 74 cents; leaving in the treasury, on that day, a sum estimated at 1,950,000 dollars. For the probable receipts of the following year, I refer you to the statement which will be transmitted from the treasury.

The sum of three millions of dollars, authorized to be raised by loan, by an act of the last Session of Congress, has been obtained upon terms advantageous to the government, indicating not only an increased confidence in the faith of the nation, but the existence of a large amount of capital seeking that mode of investment, at a rate of interest not exceeding five per centum per annum. It is proper to add, that there is now due to the treasury for the sale of public lands, 22,996,545 dollars. In bringing this subject to view, I consider it my duty to submit it to Congress, whether it may not be advisable to extend to the purchasers of these lands, in consideration of the unfavourable change which has occurred since the sales, a reasonable indulgence. It is known that the purchases were made when the price of every article had risen to its greatest height, and that the instalments are becoming due at a period of great depression. It is presumed that some plan may be

devised, by the wisdom of Congress, compatible with the public interest, which would afford great relief to these purchasers.

Considerable progress has been made, during the present season, in examining the coast and its various bays, and other inlets; in the collection of materials, and in the construction of fortifications for the defence of the Union, at several of the positions at which it has been decided to erect such works. At Mobile Point and Dauphin Island, and at the Rigolets, leading to lake Ponchartrain, materials, to a considerable amount, have been collected, and all the necessary preparations made for the commencement of the works. At Old Point Comfort at the mouth of James' river, and at the Rip-rap, on the opposite shore, in the Chesapeake bay, materials, to a vast amount, have been collected; and at the Old Point some progress has been made in the construction of the fortification, which is on a very extensive scale. The work at Fort Washington, on this river, will be completed early in the next Spring; and that on the Pea Patch, in the Delaware, in the course of the next season. Fort Diamond, at the Narrows, in the harbour of New York, will be finished this year. The works at Boston, New York, Baltimore, Norfolk, Charleston, and Niagara, have been in part repaired; and the coast of North Carolina, extending south to Cape Fear, has been examined, as have likewise other parts of the coast eastward of Boston. Great exertions have been made to push forward these works with the utmost dispatch possible; but when their extent is considered, with the important

purposes for which they are intended, the defence of the whole coast, and, in consequence, of the whole interior, and that they are to last for ages, it will be manifest that a well-digested plan, founded on military principles, connecting the whole together, combining security with economy, could not be prepared, without repeated examinations of the most exposed and difficult parts, and that it would also take considerable time to collect the materials at the several points where they would be required. From all the light that has been shed on this subject, I am satisfied that every favourable anticipation which has been formed of this great undertaking will be verified, and that, when completed, it will afford very great, if not complete, protection to our Atlantic frontier, in the event of another war; a protection sufficient to counterbalance, in a single campaign, with an enemy powerful at sea, the expense of all these works, without taking into the estimate the saving of the lives of so many of our citizens, the protection of our towns and other property, or the tendency of such works to prevent war.

Our military positions have been maintained at Belle Point, on the Arkansas, at Council Bluff, on the Missouri, at St. Peter's, on the Mississippi, and at Green Bay, on the Upper Lakes. Commodious barracks have already been erected at most of these posts, with such works as were necessary for their defence. Progress has also been made in opening communications between them, and in raising supplies at each for the support of the troops, by

their own labour, particularly those most remote.

With the Indians peace has been preserved, and a progress made in carrying into effect the Act of Congress, making an appropriation for their civilization, with the prospect of favourable results. As connected equally with both these objects, our trade with those tribes is thought to merit the attention of Congress. In their original state, game is their sustenance, and war their occupation; and, if they find no employment from civilized powers, they destroy each other. Left to themselves, their extirpation is inevitable. By a judicious regulation of our trade with them, we supply their wants, administer to their comforts, and gradually, as the game retires, draw them to us. By maintaining posts far in the interior, we acquire a more thorough and direct control over them; without which, it is confidently believed, that a complete change in their manners can never be accomplished. By such posts, aided by a proper regulation of our trade with them, and a judicious civil administration over them, to be provided for by law, we shall, it is presumed, be enabled not only to protect our own settlements from their savage incursions, and preserve peace among the several tribes, but accomplish also the great purpose of their civilization.

Considerable progress has also been made in the construction of ships of war, some of which have been launched in the course of the present year. Our peace with the powers on the coast of Barbary has been preserved, but we owe it altogether to the pre-

sence of our squadron in the Mediterranean. It has been found equally necessary to employ some of our vessels, for the protection of our commerce in the Indian Sea, the Pacific, and along the Atlantic coast.

The interests which we have depending in those quarters, which have been much improved of late, are of great extent, and of high importance to the nation, as well as to the parties concerned, and would undoubtedly suffer, if such protection was not extended to them. In execution of the law of the last session, for the suppression of the Slave Trade, some of our public ships have also been employed on the coast of Africa, where several captures have already been made of vessels engaged in that disgraceful traffic.

JAMES MONROE.

Washington, Nov. 24, 1820.

[See also page 672.]

SOUTH AMERICA.

Documents relative to the proposed Monarchy in South America.

The secret Sitting of Nov. 12, 1819.

The deputies having met in the Hall of Sessions, at the usual hour, the deputies charged with the commission of drawing up a project of the conditions under which the proposal made by the French minister for foreign affairs, to establish a constitutional monarchy in the United Provinces, could be admitted (which proposal had been examined at great length in the foregoing sittings, and had resulted in its conditional admission), represented to the chamber that they were ready to give an account of their commission. The project, which they

presented in writing, being then read thrice, some general observations were made on it, and the members proceeded to examine, separately, each of the nine conditions which it contained.

1. The first, which says that his Christian majesty undertakes to procure the consent of the five allied powers of Europe, and even that of Spain, was approved of, with the addition, "that the consent of England should be especially required."

2. Having examined the second condition, which says, that having obtained the above-mentioned consent, it would likewise be the care of his most Christian majesty to facilitate a matrimonial union of the duke of Lucca with a princess of Brazil, that union having for its result the renunciation on the part of his most faithful majesty, of all his pretensions to the territories which Spain possessed after the last demarcation, and to the indemnities which he might perhaps demand for the expenses incurred in his enterprise against the inhabitants of the northern bank of the river Plate; that condition was agreed to, with the amendment that, instead of the *Banda Septentrional* of the Rio Plata, the territory in question should be simply denominated the Banda Oriental. The third and fourth conditions were then examined and approved of, in the following terms, viz.—that

3. France should be obliged to lend to the duke of Lucca all the assistance which would be necessary to establish a monarchy in these provinces, and to make it respectable. The limits of this monarchy must comprehend at least all the territory included in the old demarcation of the viceroyalty

of the Rio de la Plata, and likewise the provinces of Montevideo, with the whole of the Banda Oriental, Entre-Rios, Corrientes, and Paraguay.

4. These provinces will acknowledge for their sovereign the duke of Lucca, under the political constitution which they have sworn, with the exception of those articles which may not be conformable with a hereditary monarchical government which shall be changed in a way consistent with the constitution.

The fifth, which says that the principal powers of Europe having concurred in the coronation of the duke of Lucca, the project would be carried into effect even though Spain should insist upon a reconquest of her former provinces, was likewise agreed to with one reserved vote.

6. Having examined the 6th condition, which says, that in that case France will either take care that a sufficient force is sent before the duke of Lucca, to carry into execution the enterprise, or will place this government in a situation to make head against Spain, by assisting him with troops, arms, and ships of war, and a loan of 3 or 4 millions of dollars, to be repaid as soon as the war is concluded, and the country is restored to peace, with a qualification.

They proceeded then to examine the 7th, 8th, and 9th conditions, which were approved of on the following terms:—

7. That on no account this project should have effect, if there were reason to fear that England, viewing with uneasiness the elevation of the duke of Lucca, should exert herself to resist it and frustrate it by force.

8. That the treaty between the French minister for foreign affairs and our envoy at Paris shall be ratified within the term to be fixed for it by his most Christian majesty and the Supreme Director of this state, with the previous consent of the Senate according to the forms of the constitution.

9. That for this purpose our envoy should fix the time necessary for our procuring, as soon as possible, the account of a matter of such high importance, conducting it with all the circumspection, reserve, and precaution, which its delicate nature requires; as well that the project may not be abortive, as to prevent those fatal consequences which (if it should prematurely transpire) would be occasioned by the malignant comments that the enemies of our country's happiness would give to it.

[Signed by the President, and Vice-Presidents, and Members.]

Armistice between the Spanish and Patriot Armies.

Art. 1.—On the part of both the Spanish and the Columbian armies, hostilities of every description will cease from the moment wherein the ratification of the present treaty shall be made public; nor will the war be continued, or any hostile act executed between the two parties, on the whole extent of this territory by them possessed, during the period of this armistice.

2.—The period of this armistice will be extended to six months from the day of its ratification; but as the fundamental principle and basis thereof is the good faith and the sincere wishes which animate both parties to terminate the war, a prorogation of this

term may take place for as long as it be found requisite, provided that the period now stipulated being elapsed, the negotiations, about to be entered into are concluded; but that there is, however, a prospect of their being brought to a termination.

3.—The troops of both armies will hold the positions which they occupy at the time of their being made acquainted with the suspension of hostilities; but as it is meet to fix clear and well-known limits on the spot which is the principal theatre of warfare, in order to preclude any difficulties arising from the confusion of positions, the following ones are prescribed:—

First. The river Unare, ascending from its mouth in the ocean, until where it meets with the Guanare, the currents of the latter running up to its source, from hence a line until the beginning of the Manapire; the currents of this as far as the Orinoco; the left border of the confluence of the Apure; this until where it receives the river Santo Domingo, the waters of the latter until the city of Barinas, whence a straight line is to be drawn until Bocono of Truxillo, and from here the natural boundary line which divides the province of Caraccas from the department of Truxillo.

Second. The troops of Columbia operating against Maracaybo, as soon as the armistice is made known to them, may afterwards cross through the territory occupied by the Spanish army, in order to join the other bodies of the republican army, provided while they are crossing this territory they be conducted by a Spanish officer. They will be also, for the same purpose, supplied with the

necessaries of life and vehicles on paying for the same.

Third. The remainder of the troops of both parties, not comprehended within the prescribed limits, will remain in the positions occupied by them, as before stated, until the officers appointed by either party shall settle, in a friendly manner, the boundaries which are to separate the territory operated upon, and arrange the difficulties arising in the settlement of those boundaries to the satisfaction of both parties.

Art. 4.—As it is probable that at the time of making public this treaty, some troops or guerillas may be found beyond the boundary line prescribed in the 3rd article, and who are no longer to remain in the territory which they occupy, the following is agreed upon:—

a.—That the regular troops who may be so situated shall withdraw beyond the boundary line, and among these any belonging to the Republican army occupying the left border of the Guanare and Unare shall retire and station themselves at Piritu Clarines, or any other adjacent towns. And,

b.—That the Guerillas in such case be disarmed, disbanded, and reduced to the class of simple citizens, or withdraw in like manner as the regular troops. In the first of these two cases, the most absolute and perfect guarantee is offered and granted to those therein comprehended; and both governments pledge themselves, during the armistice, not to enlist them under their respective standards, but, on the contrary, to grant them leave to quit the territory in which they are, and to join the army to which they belong, at the expiration of this treaty.

Art. 5.—Notwithstanding the town of Carache is situated within the line belonging to the army of Columbia, it is agreed that a military commandant of the Spanish army shall reside in it, with a party of armed peasants, not exceeding 25. The civil authorities now existing there shall also remain.

6.—As a proof of the sincerity and good faith which characterize this treaty, it is determined that, in the city of Barinas, no more than one military commandant of the republic, with a party of observation of twenty-five armed peasants, shall be permitted to reside; as also the labourers necessary for the intercourse with Merida and Truxillo, and for the conveyance of cattle.

7.—Hostilities on the ocean will also cease in thirty days from the ratification of this treaty for the American, and in ninety days for the European seas. The prizes made after that period will be reciprocally returned; and privateers or cruisers will be held responsible for the damages sustained by their detention.

8.—From the moment of the ratification of the armistice the communication between the respective territories shall become open and free, in order to provide each other with cattle and all kinds of subsistence and merchandise. The speculators and traders must be supplied with the necessary passports, to which they will subjoin the passes of the authorities of the territory whence the goods are taken, so as to obviate disorder.

9.—The city and port of Maracaybo remains free, and adapted as an avenue for intercourse with the people of the interior, both for the necessaries of life, and as

regards mercantile transactions; and merchant vessels belonging to us or to Columbia, which may import goods not being arms of warlike stores, or export the same from that port for Columbia, will be treated as strangers, and as such will pay duties and be subject to the laws of the country. The agents or commissioners appointed by the government of Columbia to proceed to Spain or to foreign countries, and those received by the same, shall be permitted to touch at the above places, and enter and leave the port.

10.—The city of Carthagena will enjoy the same liberty as that of Maracaybo, with respect to the inland trade, and during the armistice may apply to its advantage both as respects its population and garrison.

11.—The foundation and primary object of this armistice being the negotiation of peace, to the end whereof both parties must be reciprocally employed, envoys and deputies selected for this purpose shall be interchanged by each government, and be entitled to a safe conveyance, guarantee, and personal security, corresponding to their character as agents for peace.

12.—If war between the two governments should unhappily be again renewed, hostilities will not commence prior to an intimation given by the party who intends or prepares itself to break the armistice: this intimation is to be given forty days before the commencement of the first act of hostility.

13.—It will be deemed an act of hostility the fitting out of any military expedition against any one of the places included in this

treaty. Aware, however, that an armament of Spanish vessels of war may be at present on their way from Europe, the privilege is not refused to them of relieving an equal number of vessels of war doing service on the coasts of Columbia, under the express condition that they shall not be allowed to disembark troops.

14.—In order to give to the world a testimony of the liberal and philanthropic principles by which both governments are actuated, not less to eradicate the errors and the fury which have characterized the fatal contest wherein they were involved, both governments are by these presents obliged forthwith to enter into a treaty, for the purpose of regulating the warfare in conformity with the rights of man and the most generous, wise, and humane practices among civilized nations.

15.—The present treaty must be ratified by both parties within 60 hours, and shall be immediately communicated to the chiefs of divisions, by the officers appointed on the part of both governments for that purpose.

Given and signed with our hands, in the city of Truxillo, at ten o'clock at night, on the 25th day of Nov. 1820.

RAMON CORREO.

ANTONIO JOSE DE SUERE.

JUAN RODRIGUEZ DE TORO.

PEDRO BRISEFIO MENDES.

FRANCISCO GONZALES DE LINARES.

JOSE GABRIEL PEREZ.

The present treaty is approved by me in all its parts, and ratified.

PABLO MORILLO.

JOSEPH CAPARROS, Sec.

Head-Quarters, Carache,

Nov. 26, 1820.

[See also page 62.]

ABSTRACTS OF STATE TRIALS.

The Trial of Henry Hunt, Esq. John Knight, Jos. Johnson, John Thacker Saxton, Samuel Bamford, Jos. Healey, James Moorhouse, Robert Jones, Geo. Swift, and Robert Wylde, for an alleged Conspiracy to overturn the Government, &c. by Threats and Force of Arms.—Before Mr. Justice Bayley, and a Special Jury, at the York Lent Assizes, 1820.

This morning (March 16), the trial of Mr. Hunt and the other defendants, indicted for a conspiracy on the 16th of August last, at Manchester, commenced at York.

At nine o'clock Mr. Littledale read the indictment, which charged the defendants with a conspiracy to alter the legal frame of the government and constitution of these realms, by force and threats, and with meeting tumultuously at Manchester, on the 16th August last, with 60,000 persons, armed with sticks. There were several counts, varying the form of the indictment, but in substance implicating the accused in a conspiracy against the state.

The jury being sworn,

Mr. Scarlett proceeded to address the jury. The jury must be aware that the charge arose out of transactions which took place in the month of August last, in the county of Lancaster. The parties were accused of having convened a meeting at Manchester,

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the object of which was to excite fear and terror in the minds of his majesty's subjects; this was the short description of the crime alleged against the defendants. The circumstances which occurred at the time of the meeting were matter of evidence, and would throw considerable light on the projects of those who took part in the proceedings. The individuals who appeared before them as defendants were singled out as having been among the leaders of those who assembled at the meeting alluded to. It was undoubtedly the privilege of the people of England, stating the proposition in a broad and unqualified manner, when they suffered under any particular grievance, to assemble at a meeting, and to pursue the lawful mode of address. But let it be imagined that the bulk of the population met together to discuss public affairs, and to take into their own consideration such measures as they might deem proper for the alteration of the existing order of things—it was evident, as all power and right were derived from the people, that they would in that case resume their original functions, and the government must be for the time dissolved. He would now proceed to notice the different individuals who were charged in the indictment. Of Mr. Hunt it was unnecessary that he should say any thing, because his name had appeared so much

of late connected with these transactions, as to leave no doubt on the mind of any man as to his character and avocations. John Knight had formerly been in business; his occupation had latterly been that of an itinerant orator. Joseph Johnson was a brush-maker, residing in or near Manchester, and he believed was also in the habit of attending public meetings. Of John Saxton all the description which he had was, that he was some way or other connected with the office of a paper called *The Manchester Observer*. Joseph Healey was an apothecary. James Moorhouse was a coach-master, residing at Stockport. George Swift carried on the business of a shoemaker at Manchester. Of Robert Wylde he knew nothing but that he lived near Ashton-under-line. Samuel Bamford and Robert Jones were individuals in humble circumstances. The jury would find, by unquestionable evidence, that these persons were connected in some sort of secret design. To begin with Mr. Hunt. It appeared that some time in the month of July, in the last year, a meeting took place in Smithfield; he knew not by whom it was assembled, nor was it of any consequence. It created, however, considerable alarm in the metropolis. Resolutions were passed at that meeting, inculcating on the minds of the people of England, that the time was come when some extraordinary and unprecedented measure was to be taken. It was known that Mr. Hunt was the person who proposed these resolutions, among which there were two inviting and recommending the people of England to resist the payment of taxes, declaring that

they were not bound to obey any laws enacted by the parliament as it was now formed; and therefore, for some reason, which the mob in their enlightened wisdom had found out, calling on them to pay nothing towards the revenue till such a parliament was assembled as they conceived it was proper and fitting they should have.

The learned counsel then proceeded to detail the circumstances of the 9th and 16th of August, particularly adverting to such as seemed to connect the defendants in a common design.

The learned gentleman then proceeded to illustrate his observations, by pointing out the situation of Manchester, and the different villages in its neighbourhood. This, said he, was the position of the town of Manchester--a town containing in itself an immense population, second, perhaps, only to that of London. Manchester was divided into twenty-four townships, and was far more populous than other parts of the kingdom. That population consisted for the most part of the laborious and industrious order of persons, although there certainly were many who possessed much wealth and property there. The very nature of such a population rendered it necessary to observe more than usual precaution when they were assembled together, without any definite object. But, in addition to the danger which might be apprehended from a meeting of inhabitants, it was found that greater evils might be apprehended from the influx of vast numbers of strangers. On the morning of the 16th of August, it appeared that bodies were seen

advancing towards Manchester from various places, some of them at the distance of 10 or 12 miles from that town, and the sequel of their conduct answered to this beginning.

EVIDENCE.

Tho. Tiddler (1st Witness).—I keep the Red Lion, three miles from Stockport. Mr. Hunt came to my house with a servant on the afternoon of the 9th of August last; he baited his horse, and dined at my house. I know Mr. Moorhouse. He is a coach-proprietor and auctioneer at Stockport. Moorhouse came immediately after in a post-chaise with his brother, and inquired for Mr. Hunt, who had just left my house; and after stopping five or ten minutes, he went off in the direction Mr. Hunt went, towards Stockport.

[The Cross-examination, which went to intimate that Moorhouse had no connexion with Hunt, but as a horse-keeper, was unimportant.]

Henry Lomas (2nd Witness).—I kept the White Lion, at Stockport, on the 8th of August. Late on that night Mr. Moorhouse and Mr. Johnson came to Mr. Hunt at my house; and also early on the following morning, when they were joined by a stranger and a crowd of persons. I saw sir Charles Wolseley, and at a late period of the morning of the 9th of August, Parson Harrison joined them. Such crowds were not customary at Stockport, except when Mr. Hunt was making his speeches. They went (or some of them) into Mr. Moorhouse's house, where chaises were getting ready in the yard.

[The earlier cross-examination of this witness, had the same tendency as the cross-examination of the last, and was equally unimportant. Farther questioned, he stated as follows:]

I am one of the yeomanry, and was called upon in that way to attend the meetings; the same cause led me to Manchester on the 16th of August. I was in the Cheshire yeomanry at the dispersion of the Manchester meeting. I had on my uniform, and had sword and pistols. I saw no marching in array, except among the yeomanry and soldiers, no invasion of Manchester; but I saw flags and ban-

ners. I was at St. Peter's-field betwixt one and two o'clock, and remained perhaps an hour, or an hour and a half. I saw nothing particular but the people running one way or another. The Cheshire yeomanry remained still; they cut nobody, though I saw some people down. I cannot say who cut the people. The Stockport troop had nothing to do with the dispersion of the people. When we got to the ground, the people were all running away, except a few. I saw nothing to call for the interference of our troop.

Mr. Justice *Bayley* explained to Mr. Hunt, who cross-examined, that what followed the meeting of the 16th of August could not affect his case. The charge against him was for a conspiracy entered into previous and upon that day, before the dispersion.

Michael Bentley (3rd Witness).—I live at Newton Norris, near Stockport, and was there on the 8th of August last, and saw Mr. Johnson there in the evening of that day in a gig with Mr. Hunt, going towards Stockport.

Cross-examined.—I was at St. Peter's-plain on the 16th of August. I was stationed behind the hustings, and did not see the people commit any illegal act before the appearance of the military. I think there were about 50,000 or 60,000 persons, but I only saw one or two who were a little rough. I saw the Stockport people advancing; they did not alarm me. I saw no arms with the persons who behaved insolently; I saw nobody cut that day. I saw one constable hurt; he was pressed down in consequence of the people going from the cavalry. I heard a few words of Mr. Hunt's address. He said, "if any people break the peace, they must put them down, keep them down, and make them be quiet."

By the *Court*—I cannot judge how many of the people Mr. Hunt could make hear him in so large a concourse.

Mary Cadman (4th Witness).—I saw Mr. Hunt at Stockport on the 8th of August.

Cross-examined.—I had been a servant at Moorhouse's: he was a good religious man, and used to read the Bible very often to his family and servants. Went to the meeting on the 16th of August. There were a number of women and children there.

Samuel Morton (5th Witness).—I lived near St. Michael's church, at Manchester, on the 9th of August; saw a crowd near my house on that day; Johnson, Hunt and Moorhouse came on a large piece of ground near the church, opposite the sign of the Church public-house. Hunt and Johnson were in a gig, and sir C. Wolseley and some others in a chaise. There was a large collection of people, about 1,000. Mr. Hunt got on his legs, and addressed the people. Among other things, he began making allusion to the Manchester magistrates; he compared them to nine tailors on a shopboard. This, witness supposed, was for forbidding the meeting, which he (Mr. Hunt) said was a legal one. He encouraged them to be firm and come forward, and no doubt they would prosper. He advised the people to be firm; he (witness) saw several placards forbidding the meeting. They were up in several parts of the town. They were signed by nine persons, five of whom he knew to be magistrates. Mr. Hunt told the crowd there would be a meeting on the 16th, and to come forward then. There was a loud huzza, and cries of "We will, we will." Mr. Hunt waved his white hat; Johnson was by Hunt's side; he waved his hand a little. They then went off to Johnson's house. There were many thousands moving about on Monday the 16th; he saw them from Withy Grove: he saw Mr. Hunt, Johnson, and others, he believes, in a carriage. There were people after them five or six a-breast. They kept step very well, like soldiers: he could not tell the numbers, but it was nearly half an hour before they passed, and they continued moving all that time. They had a black flag with "Liberty or Death." These were the words, or similar—"No Corn Laws" upon another. There were several other flags with caps of liberty at top. One had "Hunt and Liberty" on it: he saw them come opposite to Mr. Murray's house. Murray is a constable. Murray was very ill at that time, and in his bed-room. They hissed opposite the house. They also shouted out, that they wanted some *White Moss Humbugs*. They were halted at that time. The carriage had gone on, and was not then in sight. The town was very tumultuous, and, for myself, I was alarmed.

The witness underwent a long and desultory cross-examination, directed, though not very successfully, against his credibility,—being asked, How long have you been in York? I have been in York since Sunday. I saw the procession of the candidates in the city; saw the bands of music and the flags, but was not afraid. There was no black flag there. His opinion of the difference between the two meetings (that at Manchester and the election at York) was, that the one looked like war and disturbance, and the other like merriment and rejoicing. [Some approbation was here manifested in the magistrates' box, which Mr. Justice Bayley strongly reprov'd.] There were some of the people in the York procession drunk. The sober procession looked more like war than the drunken one. Did not see a flag with a bloody pike on it at York; nor a flag with the motto—"We will conquer our enemies." Had been discharged from Lancaster gaol under the Insolvent Debtors' Act, and had not since paid any of his former debts; but he had acquired no funds to do so.

James Standrig (6th Witness).—I saw Mr. Hunt on the 9th of August at the bottom of Blakeley-street, Manchester. He had just then got up in his gig to address the people. There might have been about 1,000 persons there; he heard Mr. Hunt say, that the first thing he heard of the postponement of the meeting was at Bullocksmithy. There were nine signatures to the paper, which fulfilled the old proverb, that "nine tailors make a man;" he also said something about a notorious quorum. He was astonished at any one being sent to Liverpool to know whether the meeting was legal or not; he knew himself that it was legal; he also said, that there was another meeting to be held on the following Monday, but witness did not hear him say whether he should attend it or not. Here the placard from the magistrates warning the people not to attend the meeting of the 9th, was put into witness's hand, and he said he saw similar ones in Manchester.

Cross-examined.—I did not take notes at the time, but afterwards wrote it for a man who was employed by the police.

John Chadwick (7th Witness).—Lives at Manchester, and is a shoemaker;

he went on the 9th to meet Mr. Hunt; he met him at Hardwick-green. There was a gig, with Mr. Hunt and Johnson in it, and a chaise with sir C. Wolseley, Parson Harrison, and Mr. Moorhouse in it. There appeared to be about 300 people coming in with them. The crowd increased as they went along; he heard Mr. Hunt say in a loud tone, "Shout, shout, shout." He repeated that till he got opposite the *Observer* office. There they stopped, and Mr. Hunt whirled his hat, and the people near him shouted, and the others joined. They appeared to understand him; they then went on to Johnson's house, and shouted again; Mr. Hunt said, "three times three." This was opposite St. Michael's church; he then told the people to come on one side, and he would tell them his errand to Manchester; he then drew his gig on one side, and said that he had been invited to Manchester by the Manchester committee, and that he and his gig, and his political Bob (his horse) had set out together; he had come as far as Coventry, where he saw the *Courier* newspaper, which stated that the Manchester magistrates had put down the reformers at Manchester, and that he (Hunt) would be afraid to show his face there, as they would make him smell gunpowder. Afterwards, he said, that he had seen the proclamation at Bullocksmithy, and such a proclamation never came from a shop-board of tailors: he also added, that he would have the *Courier* to know that he was not afraid of gunpowder: he then turned to the Stockport people, and said he hoped to see them all on the 16th, and that they would bring as many of their friends and neighbours as they could with them. Witness knew where White-Moss was; on the 15th August he got there before day-light; White-Moss is about five miles from Manchester. There was a great number, about two or three hundred at first, but they kept increasing all the morning. They came from different roads; witness went there from curiosity; they fell in ranks like soldiers when the horn was blown. This was about day-light; witness also fell in. The people fell in to the companies belonging to the place they came from. Every company had a person to command it; they then marched about

the field for two hours; and when the word was given to fire, they clapped their hands. The words, "make ready, present, fire," were given as if they had guns; and at the word "fire," they clapped their hands. They afterwards fell into a large body, and made the spectators fall in also. I was at the meeting of the 16th of August, and the first person I saw was a man I had seen at White-Moss. I saw Mr. Hunt go on to the meeting afterwards from Johnson's house. Johnson, Knight, and a person they called Car-lile, were with him in an open-topped chaise. Some of the people walked in ranks near it, but the rest walked irregularly. They shouted as they came to Johnson's; and also at the exchange, and opposite Murray's house they hissed hard. There was a woman on the coach with the coachman. She carried a flag.

Cross-examined.—There were about three hundred persons at White-Moss when I got there. There were some scores, who did not fall in until they were forced. They said to us, "you must all fall in, for we'll have no lookers on." I left them about seven in the morning, and went home. I do not recollect any other words used but "march" and "counter-march;" when they said "march," the men walked up the field. I think when they said "counter-march," they marched back again, not backwards, but to the place from which they came; I did not see them raise their arms in the attitude of firing; I did not see the people in the carriage hiss or take any notice of Murray's house; any person who should state the contrary, would state what is false—If any person was to swear that the people marched by with Mr. Hunt, four or five abreast, in a riotous manner, they would swear a falsehood. I saw no swords, pistols, or bludgeons. When the cavalry came in I was rather alarmed, but not before. Peter's-field was full of people, who were all standing peaceably. I went to White-Moss, as it was well known in the town that drilling was going on there.

James Murray (7th Witness).—On the night of the 14th August, I went to White-Moss with John Shawcross. We left Manchester on purpose to go there, and reached it by day-light. Hearing some persons

near us shouting and hallooing, we lay down to prevent our being seen. We then got to the Moss where the men were drilling, there might be 600 or 800 of them. The plot of ground was square. They were in squads, and there was a drill serjeant at the head or end of every squad. They were marching when I went up. I heard the words "march," "wheel," and "halt." It appeared like a camp; the men obeyed the orders given to them. I remember the words "eyes right," "dress," and "forward." I was close amongst them on the left hand. The first words said to me were by a drill serjeant, who bid me fall in. I knew the man, his name was Caterall. I said I thought I would fall in soon. The different serjeants began to shift their squads and look steadfastly. I did not like his looks, and thought of shifting my ground; when I heard the cry of "Spy," it ran along the lines, and I heard the words, "mill them, d—n them, mill them;" I then heard a cry of "they are constables;" and the answer to that was, "d—n them, murder them." I moved off, and so did Shawcross, but we were followed by eighty or ninety men. They overtook Shawcross, beat him, and knocked him in the ditch.

[Mr. Hunt objected to this evidence. Objection over-ruled.]

From 20 to 30 men followed and overtook me. They began to beat me with sticks, and kick me most violently with their clogs. I desired them to give over, that that did not look like a Reform in Parliament; it was, I said, very different treatment from that received by prisoners of war. They asked me how we would treat them if we took them prisoners to Manchester? I said we would treat them as prisoners, and not murder them. They continued beating me, and one said, "Shall we kill him out and out, and put him in the pit, or let him go?" A young man said "He has had enough;" another, "If he has any more, he'll die." They then desisted, and held a consultation, after which one of them asked me if I would consent to go down on my knees, and never be a king's man again, and never name the king any more? I said yes; as I considered my life was in danger. I fell upon my knees; the words I now mention were proposed to me, and I

repeated them. They then let me get up. I was the next day removed to Manchester, where I was confined to my bed. On the next day, the 16th, I heard the sound of bugles, and on being removed to the window, I heard the cry of "halt!" the crowd then halted near my door; I looked out, and saw the streets filled with people. Those in the centre were in ranks about six abreast. The bugle was again sounded, and I heard the word "march," and the party moved on, and began to hiss very loud. Many of them had sticks. Those who marched in line amounted to between 5,000 and 6,000 men. Besides these, there was a large crowd of men and women; I could not identify any of them; I was unable to go out that day. About one o'clock another crowd of men, women, and children, came past my house. There was an open carriage, in which I saw Mr. Hunt and Mr. Johnson, and I think another person. I do not think it stopped at my door, but it moved very slow. The whole of the crowd hissed, and pointed at my windows. I think those in the carriage looked at my house.

(To a question from the Judge.)—I am sure they looked up as they passed.

Cross-examined.—I am not employed by the police: I am a confectioner; I am a district constable, sworn in by the magistrates. I went to White-Moss, in consequence of the alarmed state of the country, as well as of my family and myself. On my oath, to the best of my belief, Nadin did not know I was going. If there were 200 lookers-on I must have seen them, but I saw none—They had no arms. I did not hear them say, "make ready, present, fire." I do not recollect saying that if I had the command of the troops on the 16th August, I would have put every b——rascal of them to death; I swear I did not say so. I told Mr. Chapman I would not believe a reformer upon his oath, and I now repeat it. Some words about firing might fly out of my mouth, and my enemies might have misconstrued it.

John Shawcross (8th Witness).—I am a clerk at the Police-office, Manchester. The printed placard, announcing the intended meeting of the 9th of August, was shown to witness, who said such bills were posted up as early

as the 23rd of July, in the public streets at Manchester. He was also shown the prohibitory placard issued by the magistrates, which he said was placarded in a similar manner. The witness then corroborated the evidence of last witness, Murray, respecting the outrage committed upon him by the people assembled at White Moss.

In answer to questions from the judge, he said the squads appeared, some of them awkward, and some perfect in drilling,

The people who went to White-Moss did not go secretly, but set up a hooting every ten minutes.

John Heywood (9th Witness).—I live near Manchester, and was there on Sunday morning the 15th of August. While there a man came up to me and said "Here, lads, is another spy;" they then beat me with sticks as fast as they could. He saw the same body of men marching from Middleton towards Manchester, with flags and a cap of liberty.—As they came along, they said they would give me what they gave me short the day before, if I followed them.

SECOND DAY.

William Morris (10th Witness).—I am a weaver. I know a place called Smedley; in the course of the month of August last I saw many groups of people near Middleton; Samuel Bamford (one of the defendants) used to be among them. Early on the 16th of August, about nine or ten o'clock, I saw many hundreds of people put into regular form at Middleton, with two flags; twenty-five men were in each section. They marched off four abreast, after being first drawn into the form of a square, in the inside of which was placed a chair, in which Samuel Bamford stood, and said, "Friends and neighbours, I have a few words to relate: you will march off this place quietly, not to insult any one, but rather take an insult; I do not think there will be any disturbance or any to do; if there is, it will be after we come back—there is no fear, for the day is our own." He got off the chair, and spread laurel among the men who were to command the sections; they put it, some into their breasts and others in their hats. The men had nothing in their hands

but bits of switches, or small sticks. I know John Whitworth, who was a private in the 6th regiment of foot; he was drilling the men, but not on the 16th of August. John Hayward, who was a private in the 16th dragoons, was doing the same.

Cross-examined.—Many thousands went before, and followed the Middleton and Rochdale people, who were not formed with them in the march; they mixed up with them, as well as a good deal of women and children. Some of the people had small sticks.

Mr. Hunt.—Were any of them large enough to whip an infamous cause out of court?

[The Judge said, this was not the time to make an observation.—The rest of this witness's cross-examination was unimportant.]

John Eaton (11th Witness).—I live at Middleton, and am a plumber and glazier. On the morning of the 16th of August I saw a great many people assembling, and Samuel Bamford among them, and in front. They had music and flags (two); the inscriptions were, "Liberty, Strength, and Unity," and something with a cap, on a pole. Bamford had a bunch of laurel in his hand, and many others had a little of it in their hats. Some had also little walking-sticks, and were proceeding towards Manchester by the new road.

Cross-examined.—I saw nothing but small sticks; there were no poles, except such as had the flags and cap of liberty. There were many women and children, who appeared to partake of the good humour of the procession. The people did not seem sullen and sulky. I have some little property, and had then on my premises; I felt no occasion to go home and shut my doors.

Joseph Travis (12th Witness).—I live at Oldham, and am a grocer. I remember, on the 16th of August, parties of men passing through at nine o'clock, on their way to Manchester. There were five divisions, Royton, Crompton, Chatterton, Saddleworth, and Oldham. Flags, with their names at the head of each. Each division was formed into marching sections; they were irregularly formed, some being two, some four, and others, eight or up to twelve abreast. They had bugles and flags, and marched like soldiers to Bent-green. I counted 864 marching in ranks, but there were many hundreds of stragglers went besides.

One leader I saw was Dr. Healy, of Lees; he led the Saddleworth and Lees divisions. I know the doctor.

Cross-examined.—I was employed by the magistrates as a special constable, or else I should not have gone. While I was with the magistrates, I left my father, who was seventy-one years, to take care of my my shop; I was not at all alarmed; nor did I see any reason why I should, as these people passed with the black flag, though the look of it I did not like. I did not see what the learned counsel called the bloody dagger upon it; I did not see such a thing upon any of the flags.

John Ashworth (13th Witness).—I saw the Saddleworth and Royton divisions; they formed altogether, and went on ten or twelve a-breast to Manchester by the new road. There might be from 3 to 5,000, exclusive of stragglers. Many called out to me by name to go with them, but I said they were a week too soon for me; that I could not go till Saturday. One of them also said he would make a “Moscow” of Manchester before he came back; this occurred at eight o’clock in the morning of the 16th.

Cross-examined.—I live at Manchester, but am no relation to Ashworth the constable, who was killed there on the 16th. I have a wife and children who were at Manchester that day while I was working at Oldham. They did not alarm me about this Moscow business. Only one or two said “Moscow.”

William Standring (14th Witness).—Witness was a publican residing at Palesworth, saw Dr. Healy while a division halted at his house; many of them, and among the rest, the doctor came into his house, and had a glass of gin, and said “Victory, my lads, and success to the business of the day.”

Cross-examined.—I have had the misfortune of being confined in the Lunatic Asylum, but was not latterly in a state so as to feel unnecessary fear.

Jeremiah Fielding (15th Witness), and James Heath (16th Witness) deposed as to the numbers and apparent discipline of the crowd on the morning of the 16th of August—the latter stated, that one person threatened him in the following words: “You shall not sleep in that house to-night.”

James Duncraft (17th Witness) cotton-spinner.—I was going to Manchester on the morning of the 16th of August, and saw on the road a body of at least 2,500 men. One man said to me, “Well, captain, how do you do?” I had been a captain in the local militia. I heard some of them say, as they passed Hollingwood, “We are going to West-Horton.” I formerly had a mill there, which was burned down in the year 1812, at the time of the Luddites. It was purposely set on fire.

Cross-examined.—I was at Manchester on the 16th of August; I did not see any person wounded. I sent a cart-load of goods to Manchester on that morning; I was not afraid of sending them on that day; but, if they were not likely to reach Manchester before one o’clock, I certainly should have been afraid to transmit them. I did not go to Manchester exactly through curiosity; my business lies in Manchester, though I live in the country; but I had no motive whatever, except curiosity, in going from the warehouse to the meeting. I knew it would be dispersed, in consequence of notices issued by the boroughreeve and constables.

Re-examined.—There were from 60,000 to 100,000 persons on the ground. They were, with the exception of those who came through curiosity, persons belonging to the labouring classes. The whole ground, about six or eight statute acres, was covered with people.

[In answer to a question by the Court, witness said, that in his opinion, the number of people assembled on that occasion, was calculated to inspire the inhabitants of the town with a great degree of terror.]

Roger Entwistle (18th Witness).—I am an attorney of Manchester. From ten to twelve o’clock on the 16th of August I was at the Albion hotel, Piccadilly, opposite the Infirmary, which is on the line from Stockport; I saw a large body of people marching into the town, like regular soldiers, with banners, and also caps of liberty. Several among them appeared to have the command of different parties, and moved about a yard from the rest, at the side of the front ranks. They had very large sticks, some walking with them, and others bearing them upon their shoulders. When the

coach which headed them, came opposite the White Bear, Mr. Moorhouse came out of it; one of the men said to me as he marched by, that before night he would have as good a coat on his back as I had. I then went to St. Peter's-field, where I saw the special constables in front of Mr. Buxton's house. Mr. Hunt had not then arrived, and they were preparing the hustings, and the constables formed a line between it and Mr. Buxton's. Soon after I saw Mr. Hunt, Mr. Moorhouse, and several others, come up in an open carriage. I saw Mr. Hunt get upon the hustings; several thousands, at the very least, upwards of 100,000, were there at the time, and many of them were chaunting, "Britons never shall be slaves." There were very few Manchester people there, except out of curiosity, but they chiefly consisted of the labouring classes from the adjacent country. The meeting was most certainly calculated to inspire alarm and terror in the minds of the peaceable inhabitants of the town. I heard Mr. Hunt's address from the hustings; he commenced by congratulating the meeting on the adjournment from the 9th, as they had thereby doubled the number in the cause. Shortly after the military (infantry) made a movement in the direction of Dickenson-street. Mr. Hunt immediately pointed to them, and said, your enemies are among you; if they attempt to molest you, "get them down, and while you have them down, keep them down." Soon after, the Manchester cavalry came up to the front of Mr. Buxton's house. Hearing that warrants were likely to be used, I did not think it safe to remain any longer near the hustings, and retired towards Mr. Buxton's house. The moment the cavalry came, there was a great shouting from the mob.

Cross-examined.—My profession is that of an attorney; I am also the clerk of the Manchester race-course. My own opinion is, that when Mr. Hunt said, "Keep them down," he alluded to the military, and wished not to be molested. When I went to the meeting I thought it perfectly safe to go by myself. Seeing such a concourse of people, with the flags, particularly a black one, which more resembled a pall than any thing else, and bearing

an inscription, "Equal Representation or Death," I felt much alarmed. I was never in the Fleet prison in my life. Some person said, "he," pointing to one, "is a spy—he," pointing to another, "is a special constable." There was one flag with a bloody dagger painted upon it. It was painted red; I was not near it, but it appeared to me like a dagger. I swear this. I have never seen that flag since. The black flag was extended by a stick being fastened to the top of it, so that it hung square.

Francis Phillips (19th Witness)—merchant. — This witness repeated, nearly in the same words as the former witnesses, the tumultuary character of the meeting.—Witness was a special constable on that day. Most of the shops in the town were closed on that day. Witness gave directions to his porter to keep his doors fast shut if the crowd should advance, and he did so because he considered the town in imminent danger. He dismantled some fire arms, lest the crowd should come to take them.

Cross-examined by Mr. Hunt.—What did you say you were, Mr. Phillips? —I am a merchant and manufacturer.

You are something of an author too, I believe, occasionally?—I have written and published an account of this transaction. [Mr. Hunt handed witness a pamphlet, asking, if he knew it as an old friend.] This is the first edition.

Not quite so correct, I fear, as it should be?—I afterwards published a second, more correct.

What did you see done on the 16th of August which you considered insulting?—I consider the shaking of the stick at me as an insult.

[Here Mr. Hunt read an extract from Mr. Phillips's pamphlet, in which it was stated that no direct offence was given before the yeomanry appeared.]

Cross-examination resumed.—I heard many taunting expressions used on the field to every man who wore a good coat. I only saw the first advance of the yeomanry, and after the regular troops came upon the field, I saw the Cheshire yeomanry come upon the field in a hand canter, but I do not know whether they acted or not. I saw some infantry near Peter's field, and I also

saw two pieces of artillery brought up after the crowd was dispersed. I saw very little of the battle; the dust and the number of constables prevented me from seeing what took place. I saw no blood spilt.

Mr. Justice *Bayley* observed, that questions of this kind ought not to be put; that blood had been spilt he believed, and he was sorry for it. The question was not how the military had acted, but whether the meeting was a legal one, and if so, whether it was conducted in that peaceable and orderly manner that would preclude any alarm from being infused into the public mind. To this point Mr. Hunt had a right to examine the witness.

Cross-examination resumed.—The people were peaceable on that part of the field where I stood.

Mr. *Hunt* was proceeding to inquire into the conduct of the yeomanry, when

Mr. Justice *Bayley* interrupted him. It was a point which he meant to leave to the jury, whether a body assembling in such numbers as to excite terror in the public mind was not illegal. A meeting might be illegal, though its purpose was legal, by using illegal means to attain it; or a meeting might become illegal from the manner of it, as it might, from its numbers, create an alarm in the public mind. This was his opinion, so he should state it to the jury.

The people were very closely locked near the hustings. I saw them from the steps of the magistrates' house. It appeared to me that they were disciplined troops who came to protect you, or fight for you, as they might be called upon, or as occasion offered. The line of constables did not extend to the hustings. I tried to get to the hustings, but failed. I saw *Nadin*, but I do not recollect having any communication with him. I did not see him make any attempt to reach the hustings without the aid of the yeomanry. It would have been madness to attempt it.

Rev. Dr. *Smith* (20th Witness) head master of the grammar school.—Was near the Star on the 16th; saw a large body of men in Dean's-gate, it was that party that conducted Mr. Hunt to the ground. The mode in which they proceeded was most certainly calculated to inspire alarm,

many of them seeming to be countrymen. The crowd round Mr. Hunt had not at all the air of a deliberative body.

Cross-examined.—Witness is master of the Greek grammar-school of Manchester; had a great number of boys; dismissed them on that day after breakfast; the number of day-scholars and boarders was 110, 15 being boarders; they were sent home immediately after breakfast; did not think it prudent to keep them in school, thought it better to send them home, to be under the care of their respective parents.

John Barlow (21st Witness).—I remember the 16th August. I saw a number of people marching in bodies, in the same manner that soldiers do when drilling. When they got near the police-office, a number of them turned their faces towards the police, and gave three cheers. There were several banners, upon one of which was "Equal Representation, or Death." [The cross-examination of this witness was unimportant.]

Thomas Styant (22nd Witness).—I saw numbers of people pass my shop on the morning of the 16th of August. I shut my shop for fear the windows should be broke.

Cross-examined.—I know *Richardson*, the gun-smith. I do not know that he sharpens the swords for the cavalry.

Edmond Simpson (23rd Witness).—Gave testimony of the alarm he felt on the 16th of August.

Matthew Cooper (24th Witness).—I am an accountant at Manchester. This witness described the meeting exactly as the 18th witness (*Roger Entwistle*) had done. Mr. Hunt, on taking the chair, made a speech. I heard the whole of it. I took notes of it on the ground, and they are now in their original state. It is thus [here witness read his notes]:—

"Gentlemen, I must entreat that you will be peaceable and quiet, and that every person who wishes to hear, must keep order; and all I ask for is, that during the proceedings you will be quiet. We will endeavour to make ourselves heard, but it is impossible for us to be heard by the whole. We wish our fellow-countrymen who do hear us will communicate to those who do not. It is useless to observe upon the intended meeting of last week,

only to observe that those who by their malignant exertions, in taking advantage of a few illegal words, expected they had triumphed, instead of which it has produced two-fold numbers [there were cheers], and now we have triumphed. He went on to state that two or three placards, signed by two or three obscure individuals—”

While he was saying this, some companies of foot soldiers appeared in Dickinson-street, and formed. Mr. Hunt then spoke on, but I did not take notes any further; I shall give the substance from memory.

Witness went on to state as follows: he said, “never mind, they are only a few soldiers, and very few compared with us; we are a host against them.”—In my judgment the meeting was such as to inspire very great fear in the inhabitants of the town of Manchester. My apprehension did not arise from what I then saw, but from previous circumstances, and from information communicated to me.

Cross-examined.—I occasionally communicate with the Courier and Morning Post London papers. I was, earlier in life, a clerk to a brewer; to Dawes and Fogg, of Bolton, perhaps twelve months. I applied to my own use money belonging to the firm, and Messrs. Dawes dismissed me in consequence. That money I have repaid to Mr. Dawes, with compound interest, up to the time of payment; I took the money out of the till. It was paid three months’ ago. I did not take so much as 25*l.* from my master’s till. [To other questions witness answered:]—I went purposely to take notes.

Mr. Justice Bayley.—Let me look at these notes. [The notes were handed in]. I think there are the materials of such a speech.

I did not hear Mr. Hunt say, “Put them down, and keep them down.” [Witness repeated the inscriptions on the flags]. There was no bloody dagger on the black flag.

[The Court adjourned at seven o’clock.]

THIRD DAY.

At nine o’clock, Mr. Justice Bayley entered the court, and addressed Mr. Barrow, one of the counsel for some of the defendants, in the following terms:—Upon a question which arose yesterday, I stated that we could

not here enter into a consideration of the conduct of the yeomanry cavalry on the 16th of August. Whether that be proper or improper we are not now trying. But when I say this, I beg the defendants particularly to understand, that it is open to them to show the conduct of every part of the people collected at the meeting on that day, with a view to establish their peaceable character, or the tendency of their acts; also with the view of showing that there was no desire manifested by them to resist the civil authorities. Into all this they may fully enter, but not into the propriety or impropriety of the conduct of the yeomanry.

J. Mills (25th Witness).—Was on St. Peter’s-field on the 16th of August. Saw a large party arrive there. They were marching in files to the number of 3,000 or 4,000. The defendant Healy led them up like a military party. There was a trumpeter with them. He also saw Wylde (another of the defendants) on that day, leading up a party of about 2,000. When they came to the hustings, Wylde halted them, and said, “Link your arms,” which was done.

Cross-examined.—None of the men insulted or assaulted me, nor did I see them molest any body, except shouting.

Henry Orton (26th Witness).—I was at the Manchester meeting on the 16th of August. I attended to take notes for a paper. Saw the defendant Jones. He exhorted the meeting to be peaceable, and mentioned something to the effect that the committee had ordered, on the Saturday preceding, to form round the hustings, at six yards’ distance, and to lock themselves arm in arm, in order that they might not be broken in upon. Swift also exhorted them to be peaceable until their chairman came; to be quiet, and not give their enemies an opportunity of exercising that power which he knew they were ready to do. “Let us prove,” said he, “that we are not mad, as they say; but if we are mad, it is the most pleasant insensibility I ever experienced in my life.” Mr. Hunt addressed the meeting in front, and requested them to be quiet, and not to interrupt by calling “Silence,” as that made more noise than any thing else. This was in front, and I was at

that time behind the hustings. Hunt turned round, and said something to the same effect at the other side; he added, "if any one attempt to destroy our tranquillity, I hope some persons will be found with courage enough to put them down, quiet them, and keep them down." A man behind me said, "Why, that's killing them;" but this was in a low tone, and could not be heard in the front. Mr. Hunt was interrupted by the appearance of cavalry, which had come near Buxton's house. This created some confusion near the hustings, and Mr. Hunt then said, "Stand firm, my friends, they are in disorder already: let us give them three cheers." The cheers were accordingly given. The soldiers then came on, and took the men on the hustings.

Cross-examined.—I came down as a reporter for a London paper, and was on the field at eleven o'clock. The papers I hold in my hands are two of *The New Times*, containing my accounts of the transaction at Manchester, which are the same as I have verbally given in court. The accounts in those papers are not perhaps exactly the same as I sent—that is, verbally so, for they were drawn up in a hurry, and may require verbal corrections. It is not usual to alter the tenor of my reports; but hasty verbal inaccuracies may be corrected.

By Mr. *Hunt*.—Those who have said I pointed to the soldiers and said, there are your enemies, put them down, &c. &c. are not correct?—Certainly not, according to my recollection.

[This witness underwent a long cross-examination, the tendency of which was to impeach his credit, by showing, that his testimony varied from his acknowledged newspaper report.]

James Platt (27th Witness).—Was a constable belonging to the police in Manchester. Was on the ground, at St Peter's-area on the 16th of August. Saw the defendant Healy at the head of many hundreds, go up to the meeting, where he got into a cart, and appeared to address them.

Cross-examined.—The witness acknowledged, that he had been in the habit of inveigling persons into the uttering of forged notes, for the purpose of convicting them, and that he

had succeeded in hanging one man in this way.

Jonathan Andrews (28th Witness).—Described the meeting like the other witnesses—and professed to have suffered serious alarm from it.

Cross-examined.—I cannot state, with any degree of accuracy, the number that carried sticks; I am positive, however, that more than one in ten, or more than one in five, carried sticks.

T. Hardman (29th Witness) gave a similar testimony.

Cross-examined by Mr. Hunt?—Did you give the same evidence before his majesty's ministers as you have given here?

Witness. Does your lordship think I ought to answer that question?

Mr. Justice *Bayley*.—You may answer it,

[Mr. Hunt said, that sooner than put any question likely to disturb the verdict when given, he would wave the question.]

Mr. *Scarlett*.—Do not be afraid, Mr. Hunt: if you are acquitted, the crown will not move for a new trial.

J. Green (30th Witness).—I heard no word given; I saw no arms, no muskets; some of the people had sticks; the meeting was calculated to produce the most alarming sensations. It certainly appeared to me like the beginning of a general rising of the neighbourhood. As to the numbers, I estimated those who formed the ring, who took off their hats, shouted, and felt a lively interest in the business of the day, at about 40,000.

John Ellis (31st Witness).—Described the flags and the manner of marching to the ground. He then proceeded—After I got on the ground, before Mr. Hunt came, I observed a person address the crowd from the hustings; I did not distinctly hear what he said, but I copied it down from the dictation of Mr. Hardman and Mr. Green. [The words, which were also distinctly sworn by the 29th and 30th witnesses to have been used by Jones, were, "There has been an order given to stand six yards back from the stage, otherwise you will afford your enemies an opportunity of rushing in with their cavalry and all their corruption."]

Cross-examined.—Nothing occurred to excite my particular attention between one and two o'clock. My atten-

tion was chiefly taken up by a person of the name of Ashworth, who was crushed in the crowd. When I saw him, he was alive. He did not speak to me; he died soon afterwards. According to my judgment, if any persons swore that he died by cuts, they did not swear correctly. I was knocked down in the hurry of dispersing the crowd, not by a brother constable, nor by a horse, but by a person whom I did not know, who struck me a violent blow.

W. Hulton, esq. (32nd Witness)—I am a magistrate of the county of Lancaster, and was at Manchester on the 16th of August. The magistrates first assembled at the Star-inn, and then adjourned to Mr. Buxton's house, which overlooked St. Peter's area. We assembled between 10 and 11 o'clock, and received information, on oath, relative to the approach of large bodies of people. As chairman of the bench of magistrates, for the counties of Lancaster and Chester, much of my time was taken up in writing; but I frequently looked out of the window, and saw large bodies of men approach. They were apparently divided into sections, and had persons walking at the side, who, from time to time, seemed to give the word of command. They did not march straight to the hustings, but wheeled when they received the word of command. The persons in command went up to the hustings and deposited their colours. They were regularly received with loud huzzas. The men appeared to me to be beautifully exact in coming up to the hustings, but I could not mark their motions afterwards. I observed the division which escorted Mr. Hunt: he was in a carriage, in which I believe were also Johnson, Moorhouse, and Carlile: the extraordinary noise which was made on the approach of Hunt, induced me to walk to the window, and mark what was going forward: the hustings were moved in the course of the morning; this I knew, because it had been the desire of the magistrates to form a line of constables from the hustings to the house where the magistrates were; but I observed that a number of men had rushed in, locked their arms together, and surrounded the hustings. The number of persons assembled, was estimated at 50,000. The meeting inspired

great terror in the minds of the inhabitants. I received depositions on oath to that effect, and I myself marked the extraordinary way in which the people approached.

Mr. Justice Bayley.—You must speak, then, as to your own opinion: you cannot state the opinion of others.

Witness continued.—The magistrates, in consequence of these proceedings, deemed it necessary to issue a warrant for the apprehension of the supposed leaders, which was given to Nadin, either in the presence of one of the chief constables of the town, or else it was handed to him by the constable. On the warrant being given to Nadin, he said he could not execute it without military aid. I then wrote two letters, the one to the commander of the Manchester Yeomanry, the other to colonel L'Estrange, requiring them to come to the house where the magistrates were, which they accordingly did. A troop of the Manchester Yeomanry soon arrived from the Mosley-street end. The troop came at a quick pace, and formed in a line under the wall of the magistrate's house. The moment they appeared, the crowd set up a tremendous shout. They groaned and hissed, and those men who had sticks, shook them in the air. I saw those sticks lifted up in a menacing manner. I had a full view of the whole. I can positively swear that I saw the sticks flourished in this manner; and I even heard the expressions of some of the people who were near the military. Whilst the cavalry were forming, some of those persons who were nearest to them turned or advanced towards them. After the mob had set up this shout, the cavalry waved their swords. They then advanced. I believe the borough-reeve was with them when they formed for that purpose. From the appearance of the crowd, and from their general conduct, I conceived it was totally impossible for a constable to serve the warrant without the assistance of the military. I wrote at the same time to colonel L'Estrange, and the commander of the Manchester Yeomanry, and I supposed the two forces would have arrived at the same moment on the ground; but I was informed, that, from the appearance of the crowd, it was thought that it would be dangerous for colonel L'Estrange to lead

his men through a narrow pass, where there was only room for a single soldier at a time. He afterwards brought up two troops of the 15th Dragoons, and two of the Cheshire Yeomanry. When the Yeomanry and the constables approached the hustings, I saw stones and brick-bats flying in all directions. I saw, what appeared to me to be a general resistance. In short, when colonel L'Estrange arrived at the magistrate's house, with the 15th and Cheshire Yeomanry, I conceived the Manchester Yeomanry to be completely beaten. The crowd closed the moment the Yeomanry had entered; and when colonel L'Estrange arrived, and asked what he was to do, so convinced was I of their perilous situation, that I exclaimed, "Good God, sir, do not you see how they are attacking the Yeomanry?" My idea of their danger arose from my seeing sticks flourishing in the air, as well as brick-bats thrown about. I believe the Yeomanry went in about four abreast, but their horses being raw, unused to the field, they appeared to me to be in a certain degree of confusion. They must penetrate through the crowd to get to the hustings, and as fast as they advanced, the crowd closed in around them. I saw distinctly from the window where I stood, an immense body of people between the house and the Yeomanry, when they advanced to the hustings. In a very few minutes some of the parties were taken into custody. On my saying to colonel L'Estrange "Good God, sir, do not you see they are attacking the Yeomanry?—Disperse the crowd!" he advanced, and the dispersion of the crowd took place.

Cross-examined.—The hustings were, I believe, about 300 or 400 yards from the window where I stood; but though I saw a map of the place, with the admeasurement, I cannot speak exactly to the fact. I could not distinguish Mr. Hunt from another, but I could perceive the persons locked together round the hustings, because they formed a complete *cordon*, and were bare-headed. I believe, solemnly, that those people near the hustings were locked arm-in-arm.

Mr. *Hunt*.—Can you, sir, standing in that elevated situation, and looking round on the comparatively small

number of persons in this court, see whether their arms are locked?

[Here a very considerable tumult of approbation was manifested, partly in the galleries, but principally in the lower part of the court. His lordship strongly commented on such impropriety of conduct, and a man was immediately brought into the witness-box, who was accused of having joined loudly in it. His lordship, after a suitable admonition, committed him to the Castle-gaol]. The trial then proceeded.

Witness.—I had a much better opportunity of seeing the persons at the meeting than I have of observing those in the court. If I were called on to state the particular pace in which the cavalry advanced, I would say it was something of a trot, or rather prancing; the horses were fidgetting in consequence of the noise, and they were not in good order. I saw none galloping. The pace I wish to describe was between walking and trotting. The space which the cavalry made in their approach was immediately filled up by the people. I think decidedly for the purpose of closing them, and cutting them off.

Mr. Justice *Bayley*.—Do you think it was done to pull them off their horses, and injure them?

Witness.—I certainly do, my lord. The impression made on my mind, at the time, was, that the people closed in order to injure the Yeomanry. There were a good many women, undoubtedly. I heard the women particularly noisy in hissing and hooting the cavalry when they first appeared. When the Yeomanry advanced to the hustings, I saw bricks and stones flying. I have not stated that they were levelled at the Yeomanry, nor can I swear it. I wish to convey to the jury that those stones and bricks were thrown in defiance of the military. Some of the magistrates endeavoured to get into the crowd, but without effect. I and my brother magistrate, Mr. Tatton, tried to get into the crowd, but were repulsed. That was after the first body of cavalry had arrived, and proceeded with the constables towards the hustings. The attempt was made before the dispersion, and subsequent to the advance of the cavalry. Neither I nor any of my brother magistrates attempted to persuade

the people to disperse. I left the window when I had given my orders to col. L'Estrange, because I would rather not see any advance of the military. I did not see any of the killed. I believe I did see one man wounded, who was brought into Buxton's house, but I would rather not swear it. I saw one woman in a faint state, and advanced in pregnancy, and blood flowing from her bosom.

By the Court.—I have acted as magistrate for nearly nine or ten years; I have acted as such since I came of age. I do not live at Manchester; I live at Hulton, twelve miles from it. There were ten magistrates present. It was a large meeting of magistrates; the magistrates of Cheshire and Lancashire were called on to act together on this occasion. I never heard till this moment that Mr. Hunt had, on the Saturday preceding the 16th, offered to surrender himself if there was a warrant against him. I could judge by the motion of a large body, whether they had their arms locked, without actually seeing their arms.

FOURTH DAY.

John Walker 33rd Witness.—I am an attorney at Manchester. I was at the meeting between 11 and 12 o'clock on the 16th of August. I saw a cart as a hustings, from which a line of constables extended to Mr. Buxton's house. The leaders of the first division on coming up got into the cart, and ordered it to be removed a little. It was not removed far. Wylde was one of the persons who got into the cart. Wylde said, "Stand firm to your post—if you have a leader of ever so strong nerve, it is impossible he can do, if you cannot stand firm." This was addressed to the different columns or divisions ranged round the hustings. Another man told them to link arm-in-arm round the hustings. He said, "Every man who knows his neighbour, and who is staunch to the cause, and by that means you will keep your enemies from the hustings." I took this down at the time. The people were probably fourteen or fifteen deep when these words were used. In my judgment, it was not possible to penetrate the crowd, near the hustings, without absolute force. This body was formed between the extremity of the line of constables and the hustings.

The crowd so assembled was calculated to overawe, to intimidate, and to create fear and alarm in the minds of the people of the town. I live upwards of a mile from Manchester, on the Cheetham road. I left home to go to Manchester about nine o'clock; but before I left my house I saw numbers of people proceeding to Manchester. My fears were excited not only by what I saw, but what I heard. I had been apprized of the intended meeting on the 16th; and also of that which was to have been held on the 9th which had been postponed. I had reason to conclude, before I went to the ground, that the information I had received was correct, and my ideas on the subject were, in consequence, confirmed, though I had drawn up the draft of an affidavit. I did not swear to it until I had been on the ground and seen several divisions arrive. The objectionable part, that which was illegal, in the placard of the 9th of August, was omitted in the advertisement for the meeting of the 16th. I do not act as secretary to the Pitt-club in Manchester.

John Willie (34th Witness).—I know Johnson the defendant. I saw Johnson on the 6th of August; at that time placards had been put up, postponing the meeting advertised for the 9th, to the 16th; we were talking of the preparations that were making by the "big" men of Manchester, with respect to the approaching meeting; when Johnson said, "The great people think, because it is put off, that it is entirely done away with; but they are under a mistake; for we shall be ready on the 16th for any thing the soldiers can bring against us." There was a great deal of talk about the "Ludding," and Mr. Horsfall's being shot near Huddersfield. Johnson said, that when Horsfall was killed, there was a body of men combined together to go to London, and upset the House of Commons, or something of that sort; and he observed, the reason they did not go was, because they had not enough to support their families, in case they were sent to prison, or came to any harm; the conversation lasted for three quarters of an hour or an hour. After I had been at the magistrate's, Johnson saw me passing his door, and sent his man after me. I went to his shop, where there were two or three gentlemen. Johnson said, "So, you have been with the magis-

trates?" I answered. "They sent for me." "And were you," asked he, "fool enough to go to them? They had no authority to send for you." He then asked me to tell him candidly what passed before the magistrates. I said, "if he would go into a private room, in the York inn opposite, I would tell him; but I would not tell him in his shop." I felt that he treated me ill, in bringing me into his shop amongst a parcel of spies, "attornies, and such like."

Joseph Slater (35th Witness).—In August last I kept a public-house at Manchester. On the 6th of the month, I recollect Johnson and the last witness being at my house. In allusion to the expressions stated by the last witness to have been used by Johnson, I ridiculed the idea that such a set of raggamuffins could overturn the House of Commons. Johnson said, "He knew it to be a fact." I again ridiculed the idea, and Johnson said, "Oh! but recollect, when Bellingham shot Mr. Perceval, what confusion there was; lord Castlereagh was scrambling to get out at one door, and Mr. Canning at another. If one man could frighten them, he was sure it could be done." On last Saturday week Johnson came to my house. He knew I was subpoenaed; and he said to me, "You know Mr. Slater, I said I heard it for a fact." I answered, "No; you declared that you knew it was a fact."

Cross-examined.—I know the reason why Johnson came to my house. I had a good breed of pigs, and he wanted one of them.

John Sharcross (36th Witness).—deposed that he purchased a copy of the *Manchester Observer*, which was put in in July last, at the shop of Mr. Wroe, in Manchester. It is a paper that used to circulate very much in Manchester.

Cross-examined.—I did not attend the meeting of the 16th of August. I believe a number of sticks, staves, and pikes, have been brought here by the Manchester police. There are also some flags, banners, and caps of liberty.

M. Fitzpatrick (37th Witness).—I attended a meeting held at Smithfield on July 21st. Mr. Hunt was the chairman of that meeting. Certain resolutions were then passed in the presence of Mr. Hunt. Certain papers

being handed to witness, he said, I recollect obtaining these papers of Mr. Hunt at the time, as the resolutions. I spoke to Mr. Hunt, who said he was glad to see me, for he knew I would write a fair report, and he gave me these papers. I heard the resolutions read. They were greatly applauded, particularly the 8th and 9th. The most violent were the most applauded.

Cross-examined.—I observed no riot or violence; the meeting was exceedingly large, but I have seen larger. I recollect Mr. Harrison being arrested on the hustings at Smithfield. That circumstance excited no disturbance. I never observed any tumult or riot at any of the meetings at which Mr. Hunt were present.

[The resolutions of the Smithfield meeting, of the 21st of July, 1819, were then put in and read.]

Mr. Hunt contended, that this was not the best evidence that could be given that these were the resolutions passed at the meeting. The original resolutions should be produced, and a notice served to produce them. He did not publish the resolutions. They were passed at a deliberate assembly.

Mr. Justice *Bayley* asked, if what was read, corresponded with the copy that was published?

Witness.—Yes.

Mr. Justice *Bayley* said he had taken a note of Mr. Hunt's objection.

The case for the Prosecution here ended.

DEFENCE.

Mr. *Barrow*, on the part of Moorhouse and Jones, submitted that there was not any evidence upon which to send the case of his clients to the jury.

He was interrupted by Mr. Justice *Bayley*. His lordship observed, that the learned counsel had better confine himself to the fourth and 5th counts of the indictment. It would be for the jury to consider whether the meeting was an unlawful one, and if so, whether the defendants, Moorhouse and Jones, had taken a part in the proceedings as in-

honest persons or as partizans. There was not that absence of evidence which would warrant his directing the jury to acquit the two defendants.

Mr. *Barrow* proceeded. He denied that any part of the evidence for the prosecution could involve Moorhouse or Jones as participating in the views of the persons concerned in convoking the meeting; much less convict them as belonging to the class of *ringleaders*, against whom only the learned gentleman (Mr. Scarlett) had declared that this prosecution was directed. The utmost that had been proved against Moorhouse was, that he had had a previous acquaintance with Mr. Hunt; that he had shown to him the ordinary courtesies of hospitality; that on the day of the meeting he had, according to his usual daily practice, driven his public coach into Manchester, at the usual hour, but as it happened, before the Stockport division of reformers; and that at the time of meeting, he was prevailed upon to accept the accommodation of a seat in Mr. Hunt's carriage, when he was going along with the other inhabitants of the town and neighbourhood to indulge his part of the common curiosity that hurried every one to witness the proceedings at St. Petersfield. The case of Jones was equally strong; nothing had been proved against him, save an anxious care for the safety of the hustings. No expression had been ascribed to him, but what tended to ensure the preservation of this structure. The poor man was only employed to build up the hustings; all he had to do was this: he was no member of any committee, but proud of his hust-

ings building situation, he became an orator. The reason was this: he was only to have 25s. for putting up the boards, which were borrowed—he was therefore interested in having the people kept back from shaking them to pieces, whereby he would have lost all. Indeed it was God's mercy he got them back, for a short time before, the populace carried away the boards erected in a similar manner on the hustings, and the architect lost them all, owing to the want of Jones's foresight in recommending them to lock arms, which ultimately saved his borrowed boards.

Mr. *Holt* (for Saxton) defended, at considerable length, the legality of meetings constituted like that which was the object of inquiry, citing the examples of the Spa-fields, Smithfield, and other similar assemblies; but with respect to the case of his client, he was not disposed to rely upon this ground, since whether the meeting were legal, or illegal no blame could attach to Saxton, who attended merely as a newspaper reporter.

Bamford (who had no counsel) addressed the Court at length, observing with considerable asperity upon the prosecuting counsel, the witnesses, and the Manchester magistrates. With respect to the charge of drilling and arrangement, which was directed particularly against himself, he said, that the sole purpose of the previous organization was, to ensure the preservation of order at the meeting. "In the course of the last six years," said he, "Manchester has witnessed many public meetings, to all of which, with the exception of the last, great numbers of people from the sur-

rounding towns and villages, proceeded in groups promiscuously, upon which occasion they were uniformly styled by the illiberal venal press of that place, a mob, a riotous, a tumultuous, a disorderly mob. They were ridiculed as illiterate, dirty, and mean, having chapped hands and greasy night-caps. They were scandalised as being drunken and disorderly, and they were denounced as being libellous and seditious, dividers of property, and destroyers of social order; and was it not then very natural that these poor, insulted, and vilified people should wish to rescue themselves from the unmerited imputations which were wantonly cast upon their conduct? It certainly was natural to give the lie to their enemies. To show to the nation and to the world that they were not what they had been represented to be, they determined to give one example of peace and good order, such as should defy the most bitter of their accusers to criminate, and for this purpose and this alone was the drilling, so styled, instituted."

George Swift then addressed the Court. He admitted having been at the Manchester meeting, but utterly denied that he was there for any illegal purpose. He admitted the statement in evidence of his addressing the people to be peaceable.

Healy presented a long written paper, which, upon a plea of indisposition, he begged to have read by the officer of the court. It denied that such meetings as that of the 16th of August were forbidden by any specific law, quoting the maxim of the Apostle, that "where there is no law, there

is no transgression:" it then argued the general question of the necessity of reform, with vehemence and some prolixity; and concluded by warning the jury not to observe too implicit a respect for the charge they were to receive from the Bench.

Mr. Justice *Bayley* smiled at the allusion as to what might be his charge to the jury, and turning to them, hoped they would attend to the defendant's request.

Johnson defended his share in the transaction of the 16th of August, by stating, that he had been advised to attend by persons who knew his extensive influence among the people; and thought that it might be necessary to exercise that influence to preserve order, should any attempt be made to interrupt the tranquillity of the assembly. His friends thought that the police of Manchester were anxious to work upon the distresses of the people, and stimulate them to some act of mischief; and concurring in this opinion, he felt it a duty to attend the meeting. He distinctly and positively denied the seditious expressions imputed to him by Willie, and pledged himself to prove that witness unworthy of credit.

Mr. *Hunt* intimated a wish, as it was then past six o'clock, to have the Court adjourned till ten on Tuesday morning, in order that he might examine, with as much attention as possible, the mass of evidence that had been adduced, before he commenced his defence.

After a few observations by Mr. *Scarlett*, who remarked that the defendant had in fact but one day's evidence to consider, Sunday having elapsed after all the

others, the request was complied with.

FIFTH DAY.

Mr. *Hunt* proceeded to address the Court. He began by returning thanks for the delay which had been granted at his request, notwithstanding the *unfeeling* opposition offered by Mr. Scarlett [the use of the term *unfeeling* was reproved by the judge]. He then proceeded to observe upon the learned counsel's compliment to the jury, setting against it the efforts which had been made in the court above, to deprive the defendants of the benefit of a jury of the county of York, and ascribing Mr. Scarlett's present civility to his having obtained what he hoped to find a *tractable* jury. [This expression again provoked a reproof from the Bench]. Circumstances had come to his knowledge which he felt he was justified in adverting to. Did the learned counsel believe what was so currently reported (and which he could prove in one instance), that there had been any undue influence exercised towards the jury? Had he heard that some of them were written to by the sheriff? It could be proved that one individual declined attending in consequence of a letter written by the under sheriff.

Mr. Justice *Bayley*.—If there be any just grounds for this imputation, the offence may be visited with condign punishment; but the subject cannot be introduced now, as it is foreign to the issue which is to be tried.

Mr. *Hunt*.—He had been well advised on this point, and he had no hesitation in saying, that

if he substantiated the facts laid before him, they would form a good ground of objection hereafter. He then proceeded to complain of the imputations cast upon himself in the opening speech of the learned counsel, which held him up as a low-bred despicable villain; and described him as attending a seditious meeting, surrounded by revolutionary ensigns. None of these imputations had been justified even by the witnesses for the prosecution. Take away the evidence of Mr. Hulton [of whom Mr. Hunt spoke with much severity], and what single act of misconduct had been proved against any individual of the meeting? "Shawcross," said Mr. Hunt, "when examined yesterday, said, that the flags, the banners, the revolutionary ensigns, the insignia of war, were in York. They were, it seemed, all brought here, but none of them were produced. The prosecutor's closed the case suddenly. Where was Mr. Nadin? It was sworn that he had got a warrant: now, if there had been any warrant issued on that occasion, was there any living creature who heard him, and who knew the tactics of the learned counsel, who could believe that he would not have called Nadin forward to support the case of his clients? Where, he repeated, was the dagger? If ever such a thing appeared painted upon a flag, why did he not put a witness into the box to prove it? How came it that the learned counsel did not put some of Mr. Hulton's brother magistrates into the box, to confirm his evidence? Mr. Hulton swore that nine of his brother magistrates were present when he acted. They knew that those magistrates

were all in court on the first morning. Mr. Hay, Mr. Norris, all the magistrates were here. They were all put out of court, because they came as witnesses; yet, when they heard of the examination of Mr. Hulton, not a man amongst them could be found to support his testimony in any one respect. Adverting to the aspersions with which it had been attempted to soil his private character in the newspapers, and the speeches of counsel, and to the imputations of vanity which had been flung upon him, he said he would bring a witness before them who would set them right on this subject. It so happened, in this instance, that he had a servant with him, a lad who had been seven years in his service, a simple country youth, and him he would put into the box to contradict those statements, and explain the circumstances to the jury; he was not a knave, but a simple country youth, and one who had attended every public meeting at which he (Mr. Hunt) was present for the last seven years. The learned counsel might endeavour to get out of him what he could, if he would condescend; and he knew that, to carry his point, the learned counsel would descend to any thing; he might by the means of this witness go not merely into his (Mr. Hunt's) stable or closet, but even into the inmost recesses of his bed-chamber. That witness would tell the learned counsel that not only on the occasion in question, but on all other occasions where a multitude surrounded him, if he saw a disposition amongst the people to ill-treat, hiss, or abuse any one, he would cry out, "Come, lads!

cheer, cheer; don't be ill-natured, but cheer." And yet this act was to be tortured into an idea that he did it, to create his own approbation, to get some little popular applause which some men sought when they were not able to attain it. With respect to the meeting of the 16th of August, he denied that he could be considered as in any respect its author. It was convened by a regular requisition, directed, as he would prove, to the borough-reeve and constables at Manchester. But when the proper authorities stated that the object was not legal, the project was given up; a public advertisement was afterwards issued, which was signed by from 700 to 1,700 inhabitants, housekeepers of Manchester. Though these individuals signed a requisition, to which each of them put his name, his number, his address, and in most his occupation, in which they called upon the borough-reeve to convene a public meeting, to enable the people of Manchester to assemble, for the purpose of taking into consideration the propriety of adopting the most legal and effectual means of obtaining a reform in the Commons House of Parliament—the boroughreeve and constables, in the exercise of their discretion, thought proper to refuse their compliance to the request. The people, knowing that it was perfectly legal to meet, knowing that it was not necessary for them in the outset to apply to the civil authorities, having first paid this compliment to the boroughreeve and constables, and they having refused their assent, determined to proceed. Four hundred of them, all housekeepers, put their

names and residences to an advertisement, calling a public meeting, for the purpose which he had just stated. This was done on the 7th of August, two days before he arrived in Manchester. Those who got up that meeting, as he would prove, agreed to ask him to attend for the purpose of presiding as chairman. For what reason? Because they not only knew that he had been at Manchester before, but that he had presided at a meeting there which had gone off with the utmost peace and quietness. He then proceeded to describe the conduct of the assembly, and treated with contempt the fears of those persons who had sworn that it gave occasion for alarm. He went through the whole of the evidence, from which he inferred that there was a concerted design on the part of the magistrates to fall upon the people with military execution, without any previous warning. The jury, he said, had, by their verdict, to decide whether, henceforth, any head-strong young man, placed in the situation of a magistrate, might, when he thought proper, call forth a body of military—a drunken infuriated body—and send them out against a well-intentioned meeting of Englishmen, for the purpose of putting them to death. With respect to the Riot-act's having been read, he denied in the most positive manner that such was the case. The prosecutors had never brought forward a witness to prove that it had been read. If they had done so, the learned counsel well knew that the testimony of that witness would have been kicked out of court. The learned counsel was perfectly aware that no

riot-act was read; and when the contrary was asserted, it was a false and scandalous report to prejudice the public mind. He did not dare to ask Mr. Hulton whether it was read or not, because he saw that he had nerve enough for any thing, and would have said "Yes" at once: although the defendants had got witnesses who were in the magistrate's house, and were now here, and ready to prove that no such thing took place. He would call the most unimpeachable testimony before the Court, to show that the people assembled at Manchester were peaceable from the beginning to the end; that their motives were peaceable, their intentions peaceable, and their acts peaceable; that, instead of the least resistance being made to the civil or military authorities, not so much as one finger was raised against them. [Mr. Hunt proceeded to describe the peaceable and orderly conduct of the meeting at the time the yeomanry were sent, as he observed, for the purpose of a bait to tempt the people to a breach of the peace]. The yeomanry, he observed, some of them drunk, and absolutely cutting at both sides with their eyes shut, dashed amongst the crowd,—among men, women, and children. Some of their horses had tumbled over the mangled heaps of those who had been trodden under feet, and they escaped with difficulty from being hurt; others endeavoured to jump over the heads of those who stood in their way, and all this time continued to attack those near them. At this time, however, there were neither brick-bats nor sticks, nor

any other weapons thrown, nor was any resistance made. He was proceeding, when

Mr. *Scarlett* said, that as none of this could be offered in evidence, it ought not to be stated to the jury.

Mr. Justice *Bayley* remarked, that certainly the conduct of the yeomanry was not the question here, and could not be given in evidence; but the defendants might offer any evidence they possessed to show the conduct of the people in not resisting.

Mr. Hunt apologised. He felt it would be unnecessary to say more respecting the relative behaviour of the people and the yeomanry on the 16th of August; but the learned counsel carried them to Smithfield, and here he would say a word upon another point. He would ask how it happened that the attorney-general was not here in this most important trial? Was it that the defendant was a mere country bumpkin, and that any body would have done against him? No; but the attorney-general well knew that he (Mr. Hunt) would have put him into the witnesses box, and have got from his own mouth that he had been consulted as to the legality of the meeting at Smithfield, and had stated it to be legal. He would have proved from his mouth that he was also consulted by the Rev. Mr. Hay and his brother magistrates as to the meeting of the 16th, between the 9th and the 16th.

Mr. Just. *Bayley*—That would not be evidence.

Mr. *Hunt*.—I would at least have tried the experiment, though your lordship would probably stop me.

Mr. Justice *Bayley*.—I should have told the jury, if the attorney-general's opinion differed from mine, that they could not here receive that opinion as law.

Mr. Hunt went on and complained that what had been stated against him in the opening speech had not been given in evidence; and he wished to remove every impression made by what had fallen from the learned counsel in his opening. Though represented as an outcast, and one who had no visible means of support, he had landed property, and was lord of the manor of Glastonbury, in Somersetshire, where the principal part of his property lay. He lived mostly in the country, and, in every place where he resided, he had always the honour of being acquainted with, and was respected by, the clergy of the place. He mentioned this in justice to himself, as his name had been coupled with that of Carlile. Of the religious doctrines of that man he would say a great deal, if he (Carlile) were not suffering under the sentence of the law. He never approved of the theological principles which were disseminated by that man; and he now declared, before God and the whole country, that he had never in his whole life heard or read any of the theological writings of Paine—"Good God," said he, "is it not enough to charge the reformers with treasonable designs, but they must be also reproached with disbelieving in their Creator!" [Here he seemed to burst into tears]. With respect to the insinuation that he was disposed to evade the pursuit of justice, he said, it was never his practice to endeavour to fly from justice. He was once

in the occupation of 3,000 acres of land, and if any magistrate in his neighbourhood had occasion for his presence, it was only to send him a note to that effect, and he attended without delay. He called upon Mr. Scarlett, who would have the power of reply, to explain his allusion to the dagger. He was sure he should have a verdict of acquittal. He would produce evidence that could not be resisted. With regard to Mr. Hulton—here Mr. Hunt paused, and Mr. Justice Bayley deprecated any personalities.

Mr. Hunt continued his speech: he went over the heads of what he would prove, and called in conclusion upon Mr. Scarlett to explain and reconcile, if he could, the contradictions of Hulton's testimony; and produce the *dagger*, the *bloody, bloody dagger!*

The defendant here concluded his speech, which lasted from ten o'clock in the morning till a quarter before three in the afternoon. He appeared to be quite exhausted in body, but at the same time as collected in his mind as at the commencement. As he sat down, there was great applause among the audience, which indecency the judge repressed in a dignified manner. It immediately ceased.

The jury retired for a little, at the suggestion of Mr. Justice Bayley. On their return, and that of his lordship, the evidence for the defence commenced.

The following witness was then examined:

Edmund Grundy (1st Witness for the Defence).—I live at Billsworth, near Bury, in Lancaster. I was a calico printer, but have retired from business. On Tuesday, the 10th of August, in consequence of a conver-

sation with Mr. Hunt, I waited on Mr. Norris the magistrate, in company with Johnson, the defendant. Mr. Norris is, I understand, the chief acting magistrate. I told him if there was any charge against Mr. Hunt, I would put in bail for any time which he chose to appoint. Mr. Norris said there was no information or warrant, nor any intention of issuing one.

[The cross-examination was unimportant.]

James Dyson (2nd Witness for the Defence).—I am a weaver, and reside at Middleton. I was on the Barrow-field on the 16th August last, between nine and ten o'clock in the morning. There were 600 or 700 people, both men, women, and children; I saw Bamford there; walking about at first. I did not hear him say any thing until he got upon a chair, and addressed the people: "Friends and neighbours—those of you who wish to join in the procession will endeavour to conduct yourselves orderly and peaceably, so that you may go as comfortable as possible. If any person insult you or give you offence, take no notice of them. I make no doubt but there will be persons who will make it their business to go about in order to disturb the peace of the meeting. If you should meet with any such, endeavour to keep them as quiet as possible; if they strike you, don't strike them again, for it would serve as a pretext for dispersing the meeting. If the peace-officers come to arrest me, or any other person, offer them no resistance, but suffer them to take us quietly. And when you get there, endeavour to keep yourselves as select as possible, with your banners in your centre; so that if any of you should straggle or get away, you will know where to find each other by seeing your banners, and when the meeting is dissolved, keep close to your banners, and leave the town as soon as possible. For if you should stay drinking or loitering in the streets, your enemies might take advantage of it. I saw some few with sticks, but none with those who were not in the habit of using them. I thought to take a stick myself, having experienced the fatigue before, but I was prevented. Several cried out, "No sticks shall go with us." I said one stick could not make much difference; and they said I

was as well able to go as they were, and I must leave it behind, and so I sent it home with my father-in-law.

To questions by the Judge.—My wife did not go with me on that day, but the wives of several of the party accompanied their husbands. It is customary at our wakes and rush-carts in Lancashire to have banners and music.

Mr. Justice *Bayley* asked an explanation of the term rush-carts?

Mr. *Bamford* said, that it is an annual custom to have a cart, on which rushes are neatly placed; this cart is drawn by young men decorated with ribbons, and preceded by young women, music, &c.

John Barlow (3rd Witness for the Defence).—The only difference between this witness and last, respecting *Bamford's* speech, was, that *Barlow* heard him (*Bamford*) exhort the people to proceed to Manchester as in the performance of a solemn duty.

Cross-examined.—I have no knowledge of any committee. I did not take my wife with me.

Wm. Kendall (4th Witness for the Defence).—Before I quitted my house I left my wife and child there, with my son at home. I saw nothing particular in the movements of the people, they went on with a deal of women and children. I am no reformer. I am a member of the Loyal Orange.

James Frankland (5th Witness for the Defence).—I reside in Middleton, and am a clogger and leather-cutter. I remember the people assembling in Middleton on the 16th of August, and afterwards going on. I heard the substance of what *Bamford* said, which was, not to mind any insult, nor be induced to resent it if offered.

John Turner (6th Witness)—*Mary Lees* (7th Witness)—and *Elizabeth Sheppard* (8th Witness for the Defence) deposed to the same effect.

Mary Yates (9th Witness for the Defence).—I have six children: I went to Manchester on the 16th of August: I walked before the men: there were a great many women. There were children—many of other people's, but none of mine. I saw *Bamford's* wife on the way. Mr. Hunt, when the soldiers were coming, took off his hat, and desired the people to give them three cheers. I saw no clubs or cudgels brandished at the sol-

diers. I thought they were coming as friends.

By the Court.—I would not have gone to the meeting if I thought there was any danger.

SIXTH DAY.

William Elson (10th Witness for the Defence) described *Bamford's* conduct at Middleton as the other witness had done. I went with the meeting, accompanied by three children of mine, two boys and a girl. My daughter is 17 years of age, my sons 14 and 13. The procession was peaceable on the road. I lost my children in the crowd in St. Peter's-field. I had no fear till I saw the Yeomanry coming.

Edmund Newton (11th Witness for the Defence).—I am a cotton-weaver. I was at Middleton on the 16th of August last. I went from home that morning about eight o'clock, in company with three other men. When I set out, I had a stick with me; I did not take my stick with me to Middleton, because one of the men said it was desired nobody should take any weapon of any description, or any stick with them.

Jacob Dakin (12th Witness for the Defence) gave a similar testimony.

Lucy Morville (13th Witness for the Defence).—I am a widow woman, residing at Middleton. I was at Manchester on the 16th of August. I went in a company of 20; I walked by the side of the procession. My two boys, one of nine, and the other of 12 years of age, went to Manchester with the procession. I took the youngest boy by the hand, meeting him on the way, and went on with him. I met my eldest boy near Manchester, turning towards Smedley-cottage, and took him likewise by the hand, stopping with both till Mr. Hunt came from the cottage. I then went to St. Peter's-field, a nearer road than the procession, with my two boys. I did not go near the hustings, having my two boys with me. I stood beside a body of men formed in a line, who refused to let me pass them. A man said, when I attempted to pass, "You cannot pass that way; the line is composed of sworn-in constables." I stood there till Mr. Hunt came on the ground. I saw a man in black clothes riding off from the body of the people. The

constables smiled at this, and one of them said, "I should wish the start to begin just now."

The learned Judge here said, he could not hear evidence as to what the constables did or said.

John Hampshire (14th Witness for the Defence).—I live seventeen miles from the town of Manchester. I know Saxton; I saw him on the 16th of August. I called on him about 12 o'clock. We went to the Manchester Observer office. He was a reporter to that paper. I stayed a short time with him there, and saw him preparing paper and pencils to write notes at a public meeting. I saw no disposition in the crowd to resist the military. Mr. Hunt neither made resistance, nor encouraged the crowd to make resistance. I heard a military officer say, "You chairman, come down this moment." Mr. Hunt's reply was, "Very well, Sir;" and he got down off the hustings.

John Smith (15th Witness for the Defence).—I am concerned in the Liverpool Mercury. I attended on the 16th of August to report for that paper. Previous to 12 o'clock I observed various bodies proceeding towards the meeting, from different avenues; I was struck with the orderly manner in which they advanced, and in which they gave way to carts, carriages, and passengers. Between 12 and one the meeting kept increasing considerably, and I heard a band of music playing what I thought, from the beat of the drum, to be the tune of "God save the King." I asked a person nearer the band if it was "God save the King," and was answered, yes; when I said, I am happy to hear it. Mr. Hunt then arrived, and in a short time the cavalry arrived; I was astonished at the circumstance, as well as those around me; but the general feeling was, that they came to preserve the peace: the people gave three cheers, which appeared to me to be in accordance with that feeling. The military returned the cheers. There was then a pause, and the cavalry, after this pause, advanced rather hastily towards the hustings. I saw no resistance: the cavalry advanced quicker than I could have supposed it possible through so dense a crowd. A general cry was raised around me, "What is to be done?"

and the general answer to that question was, that the cavalry must be bringing some magistrate to listen whether any seditious expressions were to be used. We were sure all would be quiet still. In no case whatever did I see any attempt to resist, nor any encouragement to resistance given by Mr. Hunt, or any other person, either by word, look, or gesture. I saw no sticks lifted up against the military. I saw no brick-bats or stones thrown till the close of the dispersion, when I saw one stone thrown. If any stones or brick-bats had been thrown, or any sticks raised in defiance of the military, I must have seen it. I am more than six feet high, and therefore was enabled to see all that took place. I saw a great many women and children in the field, and spoke to several of them. The black flag, I think, was on the field when I arrived, but I did not remark it particularly. I remained on the plain till the crowd was dispersed. I neither heard any offensive expressions uttered, nor saw any acts of violence committed by the people, from the time of their assembling to their complete dispersion. Did not hear Mr. Hunt say when the soldiers appeared, pointing to them, "There are your enemies; if they molest you, put them down, and, having got them down, keep them down?" I conceive it impossible that any thing of the kind could have been said. I did not hear the crowd hoot and hiss, nor see them brandish their cudgels.

Cross-examined.—Are you the J. Smith invited, in this requisition, to attend the meeting? [The learned counsel held in his hand, and read from, a Manchester Observer].—I am.

Do you know any of the other parties invited along with you?—Yes; some.

Do you know major Cartwright?—No.

Do you know Mr. Wooler? No. I did not know him then.

The learned counsel then asked the witness regarding other names, which it is not material to mention.

James Stott (16th Witness for the Defence).—I reside at Pendleton, near Manchester; I have some property in the neighbourhood. I went to the meeting; it was about one o'clock when

I got on the field. I saw no cause to fear for my family's safety. The people were standing promiscuously till Mr. Hunt came. I saw the Yeomanry arrive on the field. On their arrival they were cheered. The cheering was as great as when Mr. Hunt came on. I did not hear any groaning or hissing, nor see any brandishing of cudgels at the soldiers; I should have observed any thing of that kind, if it had taken place. When the yeomanry first came in, I saw two of them galloping along. I never saw any resistance made to them, or any encouragement given to them to make resistance. Witness was going on, when

Mr. Justice *Bayley* said, You must not tell us of any act done by the soldiers; you may say what was done by the people.

I heard several express their fears that the soldiers were going to attack the people, and many began to move off. Soon afterwards the soldiers proceeded towards the hustings. They galloped towards it as well as they could. I saw no such thing as throwing brickbats, bludgeons, or sticks. In their way, they cut at the people, and galloped on them. The people kept running away as fast as they could, and made no resistance whatever.

Cross-examined.—The hustings were about one hundred yards from Buxton's house.

J. Hampshire re-called.—I was on the hustings from the time Mr. Hunt arrived, until after he was arrested. I never heard any thing to this effect from Mr. Hunt—"There are your enemies, put them down; and when you get them down, keep them down."

J. Shuttleworth (17th Witness for the Defence).—I am a merchant residing at Manchester. I recollect being at the Exchange about eleven o'clock on the 16th of August. I witnessed several parties pass the Exchange, to go to St. Peter's-field. They were marching with considerable regularity, in the form of a procession, and conducted themselves in an extremely orderly and decorous manner. In consequence of the observations which had been made as to the number of sticks carried at previous meetings at Manchester, I determined to count as accurately as I could, the proportion on this occasion. I did so in several hundreds; until, indeed, I

thought I had a fair average: and the result left no doubt on my mind that there was not one stick to ten persons. The sticks were walking sticks, such as are usually carried by country persons. I certainly did not perceive men with large staves, four and a half feet long, and shouldered as soldiers shoulder their muskets. If any persons had been conducting themselves in such a manner with such weapons, I think I must have observed them. I assuredly did not see any thing in the conduct or manner of the parties assembled on that occasion so as to excite alarm for the safety of the town. Where I stood on St. Peter's-field, was a large posse of special constables, many of whom seemed anxious to hear Mr. Hunt; and when his appeal succeeded in occasioning tranquillity, many of them exclaimed, "Well done, Hunt; that's right." It did not appear that a dense body, a phalanx of reformers, 10 or 15 deep, surrounded the hustings? I saw the Yeomanry Cavalry arrive near Buxton's house. Up to that time I had seen nothing in the meeting, or elsewhere, that day, to excite my fears for the safety of the town. The people turned round, but I saw no brandishing of cudgels. I saw no act of insult or violence offered to the military, the yeomanry shouted and flourished their swords in the air. This seemed to excite considerable agitation, and there was a confused noise for a few moments, and many of the special constables reaching from Buxton's house towards the hustings fell back along with the people, near them, so as (it appeared to me) to leave an open space of about fifty yards. When this was done, the cavalry proceeded at a quick pace towards the hustings, and when they came to the space comparatively open, those in front appeared to gallop. Their progress seemed to be checked by the dense crowd, and this appeared to me to cause in them considerable confusion. I did not observe any of them separated from the rest. They appeared in one circular mass. The people did nothing to resist them. I saw them go on the hustings. I saw not a stone, brickbat, or bludgeon hurled at them. As soon as they got up to the hustings, I left the ground.

Mr. *Hunt* here put a question rela-

tive to the cause which gave rise to the drillings previous to the 16th of August,

Mr. Justice *Bayley* would not allow the question, as it went, like several other of the questions put by the defendant, to injure his cause.

Mr. *Hunt* persisted in the question.

Mr. Justice *Bayley*.—I wish, Mr. *Scarlett*, that you could change places with me.

Mr. *Hunt*.—God forbid! my lord.

Re-examination continued.—Witness understood that the people practised marching for a short time before the meeting, in order that they might be able to preserve order in proceeding to, and returning from it. There were many women and children in St. Peter's-field.

John Tyas (18th Witness for the Defence).—I am a reporter to The Times newspaper. I attended at Manchester in August last, in consequence of a public meeting that was to be held there. I recollect sending an article relative to something that occurred at the police-office previously to the 16th. It was intituled, "Another Bounce of the Orators." I had heard much conversation about the meeting of the 16th. I went to the ground about 8 o'clock. I was on the alert, the paper to which I belonged always giving the most voluminous accounts of things of this kind. There were very few people on the ground when I arrived. I saw the people marching in St. Peter's-field. Witness described the march of the different parties. About half past 11 the first body of reformers arrived on the ground. I recollect the black flag coming into the field. It belonged to the "Mosley and Saddleworth Union." I remember when the parties approached the hustings, "God save the King," and "Rule Britannia," were played. I did not observe any person marching up in military array, as it was called; shouldering staves, four feet and a half long, and as thick as a man's wrist. I was induced to remark that circumstance particularly, because I saw it stated in the Courier, prior to the 9th of August, that the people who escorted Mr. *Hunt* into Manchester were armed with staves that might be converted into pike-handles. I saw no act committed by any of the parties which excited the slightest apprehension in my mind

for the safety of the town. There were a great number of women and children present. I did not see Mr. *Hunt* when the carriage arrived opposite the Star Inn, stand up in it, and order the people to hiss and hoot. The carriage did stop there, but I think that was occasioned by the people not getting on before. There was, however, hissing and hooting at the Star Inn, and afterwards opposite to the Police-office. I saw several banners in the middle of the crowd, and many women amongst the multitude. The crowd was more dense and jammed together than any I ever observed before or since. The first circumstance that took place after Mr. *Hunt* arrived was the election of a chairman; and Mr. *Johnson* proposed that gentleman. [Mr. *Tyas* here read his notes of the proceedings which took place after he arrived on the hustings, commencing with the election of Mr. *Hunt* as chairman, and terminating with his capture, which have already been detailed in the evidence of the other witnesses.] The cavalry advanced, as far as I could judge, at a quick trot, and formed near Mr. *Buxton's* house, where the magistrates were. Mr. *Hunt*, as I collect from my notes, ordered the people to give three cheers, which they did, for the purpose, as it seemed to me, of showing the military that they were not daunted by their unwelcome presence. The cavalry advanced, and Mr. *Hunt* told the people it was a mere trick to disturb them, but he trusted they would all stand firm. He scarcely had said these words, when the Manchester Yeomanry rode into the mob, who opened for them in the most peaceable manner. The cavalry directed their course to the hustings, and, when they arrived there, took a number of individuals into custody. I recollect an officer went up to Mr. *Hunt*, with his sword in his hand, and desired him to surrender. He said he would not surrender to a military officer; but if any peace-officer came up, he would surrender. *Nadin* then came, as it appeared to me, from under the waggon. Mr. *Hunt* immediately surrendered, after first desiring the people to be quiet. If there had been groaning, hissing, and hooting, at the extremity of the crowd, the cheering of those round the hustings would have prevented

me from hearing it. I saw no sticks flourished by the people as the cavalry approached. Had they been flourished, I must have seen it. I saw the special constables using their staves. They beat the people with them; and of course raised them in the air.

Examined by Mr. Barrow.—I am son of the late Mr. Tyas, an eminent proctor in the city of London.

Cross-examined.—I was taken into custody. I meant to have followed Mr. Hunt to the New Bailey, as he was the great source of attraction; but seeing the Yeomanry strike several persons, I looked out for a constable, and placed myself under his protection. I was, however, apprehended. [Here the witness spoke of the several inscriptions on the flags, as they have already been stated.] There were two bands of female reformers. Carlile, whom I have since seen in London, was in the carriage with Mr. Hunt. I recollect every symptom of popular disapprobation being manifested as the crowd passed the Star-inn and the Police-office. I think, when Mr. Johnson and Mr. Hunt told the people to cheer, the cheer was greater than that which was given to Mr. Hunt. I think the cheer seemed to intimate, "We have met for a fixed purpose to petition for reform, and your presence shall not prevent us."

Re-examined by Mr. Hunt.—When the military appeared, there certainly did seem a disposition in some part of the crowd to run away. The cheer ordered by Mr. Hunt was recommended by him (Hunt), to restore confidence to those who were running away. On Mr. Hunt's arrest the people were flying in every direction. I was struck at myself twice on the hustings, and I was not resisting.

By the Court.—When I passed by the Star, I did not see either Mr. Hunt or Mr. Johnson do any thing which could have produced the hissing. I do not recollect that they did any thing to put a stop to it. The address of Mr. Hunt, not to resist, was to the people at large. The words were, "By all means do not resist;" he was perpetually addressing them on this point, and very earnestly.

By Mr. Johnson.—I think I did see you put your hand to the people to restrain them from hissing at the police, but I cannot swear to it.

At the conclusion of this examination, the Court adjourned.

SEVENTH DAY.

The first person called was *John Earnshaw*, a member of the Society of Friends.

Mr. Hunt submitted that he had a right to examine this witness upon his affirmation, as to what he had seen on the 16th of August.

Mr. Justice Bayley said, that Quakers were, by the 7th and 8th William III, chap. 74, precluded from giving evidence in criminal prosecutions, otherwise than upon oath. The learned judge cited several cases where the evidence of Quakers had been refused. He mentioned also an instance where a rule for a criminal information had been discharged, on the ground of its having been obtained upon the affirmation of a Quaker.

John Brattargh (19th Witness for the Defence).—I am a Wharfinger, and reside at Pendleton, near Manchester. On the 16th of August I went to Manchester to collect money; business was going on as usual. I saw several parties come into town; there were many women and children with them. The women were tidily dressed; apparently in their holiday clothes. At Shude-hill I saw the Bury party; they also had numbers of women and children with them. I saw the black flag borne by the Lees and Saddleworth party; they had not large bludgeons or cudgels in their hands; they had some common walking sticks; if they had staves four or five feet long, and as thick as my wrist, shouldered like muskets, I most assuredly must have seen them; I saw no ill conduct or acts of violence committed by any of them. I went to the meeting about 12 o'clock. When "God save the King" was played, all the people that I supposed belonged to the meeting, took off their hats; but the constables did not take off their hats.

Mr. Hunt.—That is a curious fact, my lord.

Mr. Hunt said, "If any one create any disturbance, put him down and keep him down." This appeared to be addressed to some one belonging to the hustings. I did not hear him say,

pointing to the military, "There are your enemies, if they molest you, put them down and keep them down."* It was impossible, as the soldiers had not arrived at the time. Then the cavalry came in, they advanced at either a canter or a gallop; they came as fast as they could. There were not any stones or bricks thrown at them, nor any sticks thrown at or lifted up against them.

Henry Andrews (20th Witness for the Defence).—I have been your servant seven years. I have been at many meetings. I accompanied you to the three meetings at Spa-fields, London; to the public meetings at Bristol, Bath, the county meetings in Wells, Wiltshire and Salisbury, and the public meetings at Westminster. I have heard that you are a freeman of Bristol. I know that you have property in Bath; you have houses, a large yard, and out premises there. You are Lord of the Manor of Glastonbury, in Somersetshire, and have a farm there. I perambulated the bounds there for you. You also have farms in Wiltshire and Hampshire. I know you are a liveryman of London. When you attended the Westminster meeting you resided there. I accompanied you to the Manchester meeting, as well as to all the others which you have attended. I never saw any riot or breach of the peace committed by any of the persons composing those meetings. You were always called the poor man's friend. I never heard you urge any meeting to acts of violence. You were called the poor man's friend, as you said that if a poor man worked hard all the week, he ought to have enough to support a family. You were generally visited by 'Squire Wigmore and Mr. Hutchins, the clergyman of the parish. I never saw you or any of your company intoxicated in my life.

Cross-examined.—I never saw Thistlewood or Dr. Watson in company with Mr. Hunt. I saw Mr. Hunt

and Mr. Johnson go in a carriage to the meeting on the 16th of August. I believe Knight also was in the carriage. There was a fourth person, but I do not know who he was.

Edward Baines (21st Witness for the Defence).—I am connected with the Leeds Mercury. [This witness repeated in substance the account of the meeting given by the other witnesses for the defence, particularly the 15th and 18th, denying with the same certainty and distinctness the presence of any persons armed with bludgeons, the violence imputed to the populace, and the irritating language ascribed to Mr. Hunt. The following is his sketch of that gentleman's speech]—"Friends and fellow-countrymen; I must beg your indulgence for a short time, and beg that you will keep silence. I hope you will exercise the all-powerful right of the people in an orderly manner." [Here witness said that the words "orderly manner" were not in his notes]. I wrote it a few hours after from memory; that was usual with reporters. He proceeded to read—"And any man that wants to breed a disturbance, let him be instantly put down. For the honour you have done me by inviting me to preside at your meeting. I return you my thanks, and all I have to beg of you is, that you will indulge me with your patient attention. It is impossible that, with the most patient attention, we shall be able to make ourselves heard by the whole of this immense assembly. It is useless for me to attempt to relate to you the proceedings of the last week or ten days in this town and neighbourhood; you well know them, and the cause of the meeting appointed for last Monday being prevented; it is therefore useless for me to say one word on that subject, only to observe, that those who put us down, and prevented us from meeting on Monday last, by their malignant exertions, have produced a two-fold number to-day. It will be perceived, that in calling this new meeting, our enemies, who flattered themselves they had gained a victory, have sustained a greater defeat. There have been two or three placards posted up last week, with the names of one or two insignificant individuals attached to them—one Tom Long, or Jack Short, a printer."—At that moment I

* This expression, and all the others implying a disposition to resist or insult the military, which had been ascribed to Mr. Hunt, were distinctly denied by all the witnesses for the defence, who had the local opportunity of hearing the words actually used by him.

observed the cavalry come on the ground at a rapid pace, from the direction of St. Peter's church. As the cavalry approached Mr. Buxton's house, Mr. Hunt said "you see they are in disorder; this is a trick, be firm!" The cavalry, after halting about three minutes, brandished their swords, and advanced. I saw no attempt made to resist them, nor did I hear any encouragement given to do so. My eyes were directed towards the cavalry till they began to advance to the hustings. When they had got about 10 yards into the crowd, I turned away; I saw no stones or brick-bats thrown, nor any sticks lifted up against them. I had heard nothing from Mr. Hunt after the words "be firm," but the words "give three cheers;" these words were repeated, as were the words "be firm."

Mr. Hunt.—Did you not see something done by the cavalry, which, according to your impression, was calculated to cause resistance on the part of the people?

Mr. Justice Bayley.—I cannot allow the witness to answer that question, and for this reason, because the jury would be trying the question from prejudice, and not from the evidence. I have thought much upon it, and I am of opinion that the question ought not to be asked. I have taken a note of your observations, and you shall have all the benefit arising from it.

When I got off the hustings I met with no impediment but from the density of the crowd. I did not hear Mr. Hunt say, when the cavalry arrived, "They are only a few soldiers, very few, and we are a host against them."

By Mr. Barrow.—I did not see Jones on the hustings.

By Dr. Healy.—I saw you on the hustings; you desired the people to be quiet.

Mr. Thomas Schofield (22nd Witness for the Defence).—I was at Lees on the 16th of August. I saw about 40 or 50 men assemble on that morning; they had nothing in their hands more than common walking-sticks used in the country. Some appeared rather decent, and others not. They appeared to be a people sadly torn down and in distress. I did not join the procession. I went to Peter's-field. I saw some peace-officers, but

did not know them to be such until they began to use their bludgeons.

By the Judge.—I saw no resistance on the part of the people.

By Mr. Hunt.—I was near the hustings, but not so near as that the cavalry could reach me with the cuts of their sabres. The people appeared to get out of the way as fast as they could, to let the cavalry pass. I am five feet ten inches high. I could see very well over the people. I saw no brick-bats or stones thrown, nor sticks lifted up against the cavalry. The people were so jammed and crowded together, that they could not do so even had they been inclined.

Robert Harrop (23rd Witness for the Defence).—I live at Lees, and manage a spinning concern for my father. I recollect directions having been given to buy linen to make a flag—some white bleached cambric was bought, it was to make a flag to go to the Manchester meeting. Directions were given to have inscriptions and devices put upon it, and they were put on accordingly, but it would not answer, because when the painter began to letter it in black, the lettering was seen through, and it prevented the reading. We determined to have it of some other colour, and the painter having no paint but the black with which he was painting the letters, we agreed that the flag should be painted black, and that the inscriptions and devices should be painted white. This was the sole cause of the white flag being made a black one. It was never pointed out to us, nor had we any idea that a black flag was more offensive than a white one. I saw the cavalry go to the hustings.

By the Judge.—I did not see the people do any thing to resist the cavalry.

Cross-examined.—I did not put on the flag the words, "No borough-mongering." "Unite and be free," "Saddleworth, Lees, and Moseley Union" on the one side; and on the other "Taxation without Representation is unjust and tyrannical," "Equal Representation or Death." There was a hand holding the scales of justice, and the word "justice" under it. On the other there were two hands clasped, and the word "love" under them. [Here the flag was produced: it was about six feet long by three or four broad.]—That is

the flag; the women, I think, put the white fringe upon it. I selected some of the mottos.

Mr. *Hunt*.—I perceive there is a piece cut out of the flag; I hope it will not be said the bloody dagger was upon that piece.

Witness.—No. There was not a bloody dagger on the flag.

Dr. *Healy*.—I was afraid you would not produce the flag, Mr. *Scarlett*, and so I have brought a model of it. [Here the Doctor produced a small model of the flag, with the inscriptions, &c. It was fastened to a stick, suspended from a pole, as hanging signs are over shop doors or windows].

Mr. *Scarlett* observed, that the word death was in small letters on the model, but on the flag itself the letters were large.

Mr. *Hunt*.—Are you quite sure that there was no bloody dagger on the flag, as described?

Witness.—I am sure there was not.

Mr. *Scarlett*.—I shall explain that by-and-by.

W. Nicholson (24th Witness for the Defence).—I live at Lees; I am a painter; I went to Manchester on the 16th of August; I saw no difference in the appearance of Manchester on that day, save in one instance; I saw a public-house with the windows shut; a female servant said they had received orders from the magistrates not to sell any beer on that day. I saw a procession pass; I took notice of their sticks; I think about one to four had sticks; they were for the most part switch sticks. The procession was headed by about 30 or 40 females rather poorly attired; they walked four a-breast.

John Hulley (25th Witness for the Defence).—Was a woollen-clothier, residing in Moseley, and went to the Manchester meeting with his mother and wife; the former was 65 years of age. There was no appearance at Manchester of alarm. He took his goods into Manchester, and went round as usual to his customers. He saw no insult offered by any of the people at the meeting to any body.

Did you see any violence committed by any person else?

Mr. *Justice Bayley*.—No, do not ask that question. It is obvious to what he alludes. I have other reasons for not wishing that their case should be investigated or prejudiced here.

There was no resistance whatever offered to the cavalry by the meeting. He did not know the object of the cavalry to be to enable the constables to get up to serve a warrant. If any such communication of their object had been loudly made, situated as he was, he must have heard it.

Nancy Prestwitch (26th Witness for the Defence) mother of the last witness, went to Manchester on the 16th of August, and walked there, though it was ten miles distant. Though she was sixty-five years of age, she walked out towards Smedley cottage, after her walk into Manchester, and they formed her there at the head of the line, as commander of about 200 or 300 women.

[This witness's testimony was merely confirmatory of that which the other witnesses for the defence had given, and was of no separate importance].

Robert Wood (27th Witness for the Defence), is a chemist and druggist in Manchester, residing near New Cross. He saw no cause whatever for alarm on the 16th of August; the people had no appearance of an invading army. Some few had common walking-sticks; he saw no large staves whatever. He saw the Yeomanry advance at a quick pace round Brown's cottage, and form in a line opposite Mr. Buxton's house. He afterwards saw them during their progress to the hustings, and did not see the least resistance opposed to them by the people. He saw no brick-bats, sticks, or stones flung at them as they advanced; if such had been thrown, he must have seen them. The place where the Yeomanry charged was opposite his window; he saw no sticks held up against them; some constables held up their staves. The cavalry were within 20 yards of where he stood, and he did not hear them say what they wanted at the hustings. The staves appeared to be held up by the constables to protect themselves from the swords of the cavalry.

Mr. *Justice Bayley*.—That must not be asked.

He saw no resistance offered to the cavalry, except from the density of the crowd; the people could not get out of the way.

Mr. *Hunt*.—How did they get up to the hustings, if the crowd could not get away?

Mr. Justice *Bayley*.—Do not ask that.

Witness said a passage was kept up nearly to the hustings by the constables. He did not see a cordon of people around the hustings. From what witness saw, Nadin, he thought, might have passed up the hustings; he (witness) could certainly have got there. If bludgeons were thrown, he must have seen them; he saw no appearance “of disciplined troops in the crowd, ready to fight for Mr. Hunt if occasion offered” (the words of a witness for the prosecution). He did not hear Mr. Hunt say, they (the soldiers) were very few, and the meeting a host against them. He merely heard him propose to give them three cheers. When the soldiers came, many at the skirts of the crowd began to run away. The cheers restored peace, and the people came back.

John Rockliffe (27th Witness for the Defence), lived near Lees, and was a master cotton-spinner. Was at Manchester on the 16th of August, and saw business going on there as usual, without any symptoms of alarm, or any shops shut. Witness was at the meeting, which he described as being of the most peaceable description. Saw the Yeomanry approach; they went quite close to him. The crowd made no opposition whatever to them, or he thought he must have seen them. Nothing at all was thrown at them, or he must have seen the missiles, for he saw the whole space made by the cavalry to the hustings, and saw them coming.

Mary Jones (28th Witness for the Defence), was the wife of a fustian-cutter, residing in Windmill-street, near St. Petersfield. She was at home on the 16th August last, and would never forget that day. She then described the arrival of the different parties of the crowd, and also of the Yeomanry Cavalry. The people fled when the Yeomanry came up to the hustings; a great many could not get away; many near her door were so pressed as to throw down an iron railing, and a woman was there killed.

John Lees (29th Witness for the Defence), was a master-manufacturer, and went to see the meeting. The meeting was most peaceable; they fled when the Yeomanry came, and made not the smallest resistance, or he must have seen it. He saw Nadin on the

day, walking up and down in the line of the hustings. Heard nobody call out and make way to have a warrant executed.

Mr. Justice *Bayley*.—I must ultimately tell the jury that there is no evidence from Nadin to justify the employment of the Yeomanry to support the civil power in the execution of a warrant.

John Fell (30th Witness for the Defence), I am a grocer in Manchester. I saw the people come up to the field on the 16th of August; they were as peaceable as this court. Some had a few common walking-sticks, but no staves. Had no apprehensions for the town when he heard of the meeting and saw it.

Mary Bryant (31st Witness for the Defence).—She resided at Manchester, in Lad-lane, and was at the meeting of the 16th of August; she remained on the field until Mr. Hunt was taken from the Hustings. Saw no bricks or stones thrown, or sticks held up at the soldiers. Some few old people had walking-sticks.

This witness was not cross-examined.

Joseph Watson (32nd Witness for the Defence), positively denied the presence of men armed with staves, and the acts of violent resistance imputed to the meeting.

EIGHTH DAY.

Robert Wright (33rd Witness for the Defence).—I live at Hollywood, about five miles from Manchester. I am a hat-manufacturer. I remember going to Manchester on the 16th of August last. I saw the Oldham, the Royton, and Saddleworth divisions; they were perfectly peaceable, and walking in a kind of order; they had a considerable number of women and children mixed with them. I saw no large sticks or bludgeons. This was the procession which had the black flag. I saw nothing that created alarm for my person or property, though a man of considerable property. I did not observe one large staff. I saw the military come on the ground.

Examined by the Court.—I heard no groaning, hooting, or hissing, when the military advanced; I saw nothing done by the crowd, as the military advanced, that indicated resistance.

By Mr. Hunt.—There were neither large stones, brick-bats, cudgels, nor

bludgeons, hurled at them. I was on the field till the dispersion of the meeting.

Sidney Walker (34th Witness for the Defence).—I am a lieutenant in the Bengal native infantry. I observed the processions on the 16th August. The people were perfectly peaceable and orderly. I saw one or two going to fight among themselves, who were prevented by those around them, who would not allow a riot to be created.

Cross-examined.—I am to retire from the army. I am now a student in the Inner Temple.

Do you know Mr. Wooller?—Yes, I do.

Examined by the Court.—As a military man, I did not, from the appearance of the procession, think that the people must have been drilled. It did not strike me that they must have been drilled, either from the sound of their feet, or from any other circumstance.

W. Thelwall (35th Witness for the Defence).—I am a builder. I reside at Manchester, about 200 yards from the place of meeting. Nothing that I heard or saw on the 16th of August induced me to believe that my property was in the slightest danger. I was in the northern corner of the field, at the angle opposite to Buxton's house. I saw no attempt to oppose the military. I heard no groanings, hootings, or hissings at them. I saw neither stones, sticks, nor brick-bats thrown at them, or thrown up in the air as they passed. I saw no sticks held up at them.

Robert Grundy (36th Witness for the Defence).—I am a woollen-manufacturer. I reside in Salford. I attended the meeting of the 16th of August. I saw some of the processions going to the meeting. I went to the field at half-past eleven. I was a special constable on that occasion. I saw no insult or violence offered to any person whatever. I was surrounded by a thick multitude. The persons round me were aware that we were special constables. Some of the constables showed their staves. I perceived no insult offered to them.

Examined by the Court.—No opposition was made to the cavalry on their advance. They were neither hooted at, hissed at, nor groaned at.

By Mr. Hunt.—From what I saw of

the meeting, I was not at all apprehensive for the safety of the town, or of my own person.

Mr. Hunt asked, if the witness was alarmed at the military?

The witness was not allowed to answer the question, as the conduct of the meeting was alone under inquiry.

Mr. Scarlett.—Supposing that at that meeting speeches had been delivered of an inflammatory nature by various speakers, and in ridicule and contempt of the local magistrates, would you have considered the town safe with such a meeting?

Witness.—I should conceive that speeches of that kind would have at all times a bad effect certainly; but I never heard any such in my life, and therefore cannot be a judge.

Mr. Scarlett then read an extract from the *Manchester Observer*. It went on thus:—"The farce of petitioning is over; a million and a half have petitioned for reform. The greater part of these were rejected, and none have been attended to; and should the people ever again stoop to any thing in the shape of petition, they will deserve what they now suffer for their dastardly conduct; but we are confident that the spirit of the country will never again condescend to pray to those whom the people themselves ought to delegate. The most determined men in the country are in the ranks of reformers. The clans of corruption, where can they find such writers?"—

Mr. Scarlett had read thus far, when Mr. Hunt objected to this extract.

The Judge said, that the prosecutors had a right to suppose that any speech, however bad, was delivered at the meeting, for the purpose of asking whether, in the opinion of the witness, such a speech in such a meeting would have produced danger to the town?

His lordship having taken the whole of the extract into his notes, it was read to witness. It went on to ask, where could the clans of corruption find such writers as Cobbett and Wooller, and such determined men as Wolseley and others? It then alluded to what it described as the state of the country, burdened with taxes, with crowds of black cattle, the bishops, and a pampered soldiery, ready to give a bullet when the people asked for bread.

"Now," continued Mr. Scarlett, "suppose such a speech as this had been delivered at the meeting, would you consider the town safe?"

Witness.—I should consider the speech as very improper; but I cannot say positively that I am competent to answer the question; I am no politician.

Mr. Scarlett.—Suppose such a resolution as this had been proposed. [Here the learned gentleman read one of the resolutions which were proposed and carried at the Smithfield meeting, where Mr. Hunt presided. Its substance was, that after the 1st of January, 1820, the people should not conceive themselves bound in justice or equity to obey any act of that body calling itself the House of Commons, except it proceeded from a full and fair representation of the people.] Suppose, continued Mr. Scarlett, such a resolution as this had been passed, would you have considered it dangerous?

Witness.—I think it would be likely to produce irritation.

Re-examined by Mr. Hunt.—Suppose that a public man, of great talents and of high legal knowledge, had made such a speech as this:—[Mr. Hunt had in his hand a volume of Parliamentary Debates, and was proceeding to read an extract from a speech of Mr. Scarlett's on the question of the Manchester affair, when he was interrupted by

Mr. Serjeant Cross, who objected to the extract being read, or to any question on it being put to the witness.]

Mr. Hunt.—It is not one of your speeches, Mr. Cross. I dare say I shall never have to select from any of your speeches in parliament.

Mr. Justice Bayley.—I must have no observations of this sort.

Mr. Hunt.—My Lord, I am here supposing a case of a speech delivered somewhere, in which advice is given to the whole nation to demand an inquiry into the proceedings at Manchester, and I wish to ask the witness whether, if such a speech were delivered at the meeting, would he have considered it dangerous?

Mr. Justice Bayley.—I think you have a right so to do.

Mr. Scarlett observed, that Mr. Hunt was here putting a report of a speech in parliament as evidence, which ought not to be received.

Mr. Hunt denied that he offered this as a speech delivered in parliament, as evidence; and observed, that what Mr. Scarlett had said was a falsehood.

Mr. Justice Bayley.—Mr. Hunt, I must tell you, that, if you do not conduct your case with decency, I must act with the firmness that belongs to my situation here.

Mr. Hunt.—I hope your lordship will not think that I offer this as a speech in parliament.

Mr. Justice Bayley.—If Mr. Hunt had put this extract as a speech delivered in parliament, and asked an opinion of the witness on it, that certainly could not be allowed. But here the case is different. The question is, whether such and such speeches, if addressed to the meeting on the 16th, would have produced danger to the town of Manchester? It is in that sense alone that I could allow the question to be put; and it was on the ground that the language of the former extract was from Mr. Scarlett's own imagination that I allowed it to be read. It is a matter of delicacy, and I myself would rather the question were not put; but still I think the defendant has a right to put it.

Mr. Hunt.—Your lordship has now allowed me to put the question, but I should not be doing justice to my own feelings if I were to put it, after what has just fallen from your lordship; I shall therefore, my lord, waive it.*

Thomas Rothwell (37th Witness for the Defence) spoke to the peaceable character of the meeting.

* The following is the extract from Mr. Scarlett's speech, upon which arose the argument:—"The people meet to petition. The magistrates issue a warrant to arrest certain individuals; and that being executed, the Yeomanry disperse the crowd at the edge of the sabre. Three days afterwards the thanks of the Prince Regent were given both to the civil and military authorities; and what was the unavoidable inference, but that opinions, however absurd or preposterous, were to be put down by the bayonet, and that ministers intended to act on a system of military coercion? Did not this demand inquiry? Did not this call upon the whole nation to insist that inquiry should be instituted?"

Joseph Schofield (38th Witness for the Defence) felt no alarm, and saw nothing to excite it.

Samuel Slack (39th Witness for the Defence).—I live at Manchester, in Windmill-street. I was at home on the 16th of August last. My house was in that situation that I could look over the whole of the area (St. Peter's).

[This gentleman gave precisely the same account of the assembling, conduct, and dispersion of the meeting as all the other witnesses for the defence.]

John Molineux (40th Witness for the Defence).—I live in Market-street, Manchester; I am a lamp-manufacturer and tin-plate-worker. I left my shop about 11 o'clock. The street was crowded several times in the day. I returned to my shop before 12. I saw no necessity then of shutting up my windows. I went again there at 12; I met my daughter on the ground. She expressed a wish to go, and went with her uncle. My daughter is 16 years of age. I remained on the field till the meeting was dispersed. My daughter remained with me and my brother-in-law. I saw the military arrive. No opposition was made to the military that I saw. There was no groaning, or hooting, or hissing at them. I perceived nothing done to intimidate them. I saw no stones, or sticks, or brickbats thrown at them, or thrown up in the air.

Cross-examined.—I was at the meeting before, of a similar kind. I believe Mr. Hunt presided on that occasion. I heard a toast given, "To the immortal Memory of Thomas Paine;" Mr. Hunt was then in the chair.

Mr. Justice *Bayley*.—Is this evidence?

Mr. *Scarlett* observed, that similar evidence was allowed in the case of *Horne Tooke* and *Hardy*.

After some long and desultory arguments on both sides, Mr. Justice *Bayley*, who had in the mean time looked into the case of Mr. *Horne Tooke*, decided, that the question was one which ought not to be put. I attended the meeting on the 16th of August. I cannot say I disapproved of the objects of that meeting.

Isaac Wood (41st Witness for the Defence).—I live in Back Queen-street, Manchester. I am a tanner. My residence is about 200 yards from

the place where the meeting was held. I have a wife and eight children. I was in Manchester on the 16th of August last. I went to the country, on Saturday, the 14th, and returned about one o'clock on the Monday. I did not find on my return, that any thing had stopped my business. I was opposite the end of the Quaker's meeting. I saw a part of the cavalry come in. They advanced towards the hustings, and no resistance was made to them by the crowd. They went up close to the hustings, and surrounded them. I was in a situation where I must have seen any opposition made by the people to the military, had resistance taken place. If any stones, brickbats, or sticks, had been hurled in the air, I was in a situation to have seen them. I have been in the volunteers at Manchester. I was in a corps who clothed and armed themselves.

Mr. *James Scholfield* (42nd Witness for the Defence).—I am a dissenting minister, and live at a place called *Hulme*, near Manchester. I was at Manchester on the 16th of August last.

Mr. Justice *Bayley*.—That fact appears to be sufficiently proved.

A board was exhibited, bearing in large characters the words "Order! order!" As far as I could perceive, every disposition was shown by the people to obey that direction. The different divisions had bands, which played the air generally called "Rule Britannia," and the national anthem of "God save the King." When the latter was played, the people, for the most part, took off their hats. I felt no alarm, nor did I hear any person express alarm at the meeting. I saw the military arrive. As the cavalry advanced, the people held up their hats as a sort of guard against the cuttings of the swords. There were no brickbats, stones, or sticks, hurled against them.

Cross-examined.—When the cavalry advanced, the people at the extremity of the crowd fled, but those immediately contiguous to the hustings closed in. There were 80,000 persons present. I was highly gratified at the sight of a meeting so numerous and so peaceable. I did not disapprove of the meeting—I approved of it "as a people." I wrote two pieces for the *Manchester Observer*. One of the arti-

cles probably may be "A Letter to the Subscribers of the Manchester Declaration." My address was to the ministers—to the ministers of the Four Evangelists—I mean to the clergymen who had signed the declaration, in support of the police of Manchester. I wrote to disapprove of murder—to express my opinion that a minister ought not to approve of murder. I and my flock conform ourselves to the Scriptures, and act according to them. We are denominated "Bible Christians."

Thomas Brooks (43rd Witness for the Defence).—[This witness bore testimony to the peaceable character of the meeting.] I know Mrs. Moorhouse. The coach overtook her on the road, about a mile and a half from Stockport. She was taken into the coach. She was then pregnant. The horses were taken from the coach at the White Bear, and the people wanted him to go on to the meeting with the coach, which, he said, he was willing to do, if he were paid. The coach did not, however, proceed to the ground, Mr. Moorhouse being afraid that people would climb on the roof, and break it down.

Cross-examined.—Mr. Moorhouse was on the roof with me and other passengers.

William Brooks (44th Witness for the Defence) was son of last witness, and corroborated his father's evidence.

John Hobson (45th Witness for the Defence) was in a house in Windmill-street, overlooking the meeting of the 16th of August. The house in which he was, was exactly behind the hustings. He saw the soldiers advance to the hustings. There was no disposition whatever to resist them on the part of the people; quite the contrary. There were no stones, brickbats, or clubs, thrown in the air as the Yeomanry approached.

Joseph Barret (46th Witness for the defence) resided at Newton Heath, where he was a manufacturer, and employed from one to two hundred men. They had a warehouse also in the market-place at Manchester. He was there on the 16th of August, in company with the last witness, whose testimony he distinctly corroborated in every part.

Jonathan Hobson (47th Witness for the Defence), who was with the two last witnesses at Manchester, also related the same description of what

had occurred there on the 16th of August. He stated that he resided at Liverpool, where he was a merchant; he also had a house and a third of a warehouse at Manchester. He overlooked the whole field where the meeting assembled, from the window of a house directly behind the hustings.

Cross-examined.—The line of the constables extended to nearly ten yards of the hustings. It was after two persons said something from the hustings, before Mr. Hunt came, that the front row before the hustings, but not to the back, locked arms.

William Burns (48th Witness for the defence) had something to do in making the ornament for the Bury flag: he made a piece of tin in the form of a *fleur de lis*, and was to paint it yellow, but not having much time on his hands, he painted it red. It came to him on the Saturday evening late, and not liking to paint it on Sunday, and having no yellow paint by him at the moment, he used red. This was the only reason.

John Smith (49th Witness for the Defence) was a cotton merchant at Manchester. Remembered the 16th of August, witnessed the assembling of the meeting, and was struck with their orderly and peaceable demeanor. He also saw the military arrive, and said there was not the slightest resistance opposed to them. He heard no hissing or groaning until the dispersion took place.

Thomas William Sanderson (50th Witness for the Defence) said, he was a merchant in the firm of Sanderson and Co. at Manchester. He was there on the 16th of August, and saw the meeting assemble. He transacted his ordinary business during the whole of the day. He saw nobody that day in apparent alarm, in consequence of that meeting, until its dispersion took place by the military.

Cross-examined.—He did not approve of the object of the meeting; he disapproved of the manner in which the meeting was brought together; he had seen large meetings before, but never meetings formed of large bodies marching like that. From the temper of the people he apprehended no outrage. He judged of their temper from what he saw of them on the particular day. There certainly did prevail a discontent at Manchester, among the working people, in consequence of their not

being able to earn sufficient for their subsistence.

Mr. *Hunt* said, that he had a number of witnesses remaining to give similar evidence to that which he had already laid before the Court; but the moment he had got a hint that sufficient had been shown, he would stop.

Mr. Justice *Bayley*.—You must be entirely governed in your case by your own discretion.

Mr. *Hunt* said he had already sent home 83 witnesses, from a conviction that those already examined had said quite enough, touching the same points to which he meant to call them.

NINTH DAY.

On Mr. Justice *Bayley* entering the court, the deputy sheriff requested any gentleman of the jury present, would hand to his lordship the letter by which they were summoned.

Several Jurors immediately handed over the letters they received on being summoned—they were all alike.

The *Judge* read the letter, which merely intimated to the special jurors that they were summoned, but did not use a single syllable beyond this mere intimation. His lordship on reading this letter, remarked, that he saw nothing of irregularity whatever in it. Such an intimation was by no means unusual when there was hardly time enough to have the special jury reduced, and the regular *distringas* issued. There was nothing in any manner irregular in the letter.

Edmund Darley (51st Witness for the Defence).—I reside in Manchester. I am a builder. I have known John Willey, a butcher, from two to three years. From what has come to my knowledge, I most certainly would not believe him on his oath.

William Phillips (52nd Witness for the Defence) of Salford, a butcher, was also called to discredit Willey.

The Rev. *John Gough Roberts* (53rd Witness for the Defence) a dissenting minister, bore testimony to the peaceable character of the meeting, and to the general freedom from alarm in Manchester on the 16th of August.

Michael Heaviside (54th Witness for the Defence) deposed to the same effect.

The Rev. Mr. *Hindmarsh* (55th Witness for the Defence).—I am a dissent-

ing minister, and reside at Salford. I was in Manchester on the 16th of August last. I saw several parties pass on to the meeting on that day. They appeared to me to be perfectly peaceable and quiet. I was upon St. Peter's-field near an hour and a half; I made it a point to observe what was the character and complexion of the meeting, and therefore I traversed every part of it. I went there merely as a spectator. I every where heard congratulations on the peaceable complexion and character of the meeting, and every one hoped it would terminate quietly. In the course of my perambulation, I went near the house in which the magistrates were. I saw a double line of constables leading to the hustings. The crowd were close to the constables. I saw no disposition in the people to insult them. The line of constables reached a considerable way into the crowd. I remained upon the field until the cavalry arrived. I saw nothing before their arrival which excited any fears for the safety of person or property, or the safety of the town; I had not the least idea of any such thing. I saw nothing, which, in my judgment, could excite the fears of any rational, temperate, sober-minded man. I am not a radical reformer. I should not, from what I saw, expect the crowd to follow bad advice. I think they were not disposed to acts of violence. From the first to the last I saw nothing done either to intimidate, or insult, or oppose the military. If any hissing, hooting, groaning, or brandishing of cudgels took place on their arrival, I think I must have seen it; but there was no such thing within my hearing and sight. I kept my eye on the cavalry until I found it necessary to provide for my own safety. I saw no stones, brickbats, or sticks hurled in the air, or at the cavalry.

John Robinson (56th and last Witness for the Defence).—I am a merchant residing in Manchester. I was there on the 16th of August. I went to the meeting at a quarter before one. I had previously been about my usual avocations. I was in a situation on the ground to see the meeting. I was within 30 yards of Buxton's house when the cavalry arrived; they passed me as they formed. I did not see the people hiss, hoot, groan, or

brandish their cudgels at the cavalry as they advanced. I think if a man had put his hand above his head I must have seen it.

Mr. *Hunt*.—My lord, this closes our case.

PROSECUTORS' REPLY.

Mr. *Scarlett* commenced his reply. Mr. *Hunt* had chosen to say, that, after the close of the evidence for the prosecution, and the hearing of counsel for the other defendants, when he (Mr. *Hunt*) asked that the Court might meet an hour later on the following day, to allow him to prepare himself for addressing the jury, labouring as he did under infirmity of body and anxiety of mind, the request was unfeelingly opposed by "that man" (pointing to me, said the learned counsel): nothing could be more untrue than the insinuation here made. The jury would recollect, that when the defendant applied to the Court to meet an hour later on the Tuesday, he (Mr. *Hunt*) did it upon the ground, not that he was indisposed, but that he might have a little more time for going through the great mass of evidence which had been taken in the case: he (Mr. *Scarlett*) opposed the request, because he did not think it necessary for the defendant's preparation. The next personal remark to which he would allude was that which had been made by the defendant on the expression of satisfaction which he (the learned counsel) had uttered in his opening speech, that the cause was to be tried by a Yorkshire jury. He accused him (Mr. *Scarlett*) of expressing that satisfaction while he knew that he had a retainer to oppose

a change in the place of trial from Lancaster to York. The defendant knew that this was not true at the time he uttered it; but he thought that the statement would prejudice him (Mr. *Scarlett*) in the opinion of the jury, and therefore he resolved to make it. He would now tell them the truth, and briefly explain to them the real state of the facts. The defendant had applied on the last day of term to have the *venue* altered from Lancaster to York. He (Mr. *Scarlett*) heard his hon. friends, the attorney and solicitor general, say, that the object of the defendants was only delay, that they could never be brought to agree on coming to York, and that the trial would be postponed; but he (Mr. *Scarlett*) did not speak a word or utter a syllable upon the subject. His (Mr. *Scarlett's*) private friends well knew his sentiments, and were well aware that he was pleased with the change of place for the trial, and that what the defendant said was totally untrue. And he must do his learned friends, the attorney and solicitor-general, the justice to mention to the jury what in his candour and gratitude the defendant had concealed—that so far were they from any desire of taking an undue advantage of him after the Court had decided upon the change, that they had actually lengthened his recognizances, the recognizances of the defendants having been forfeited.

Mr. *Hunt* here interrupted the learned counsel, and denied that the recognizances had been forfeited, or that he had received any favour from the law-officers of the crown.

Mr. Justice *Bayley* said, that they had been forfeited—that the record was sent down too late.

Mr. *Scarlett* continued.—He mentioned these things not to defend himself—for he required no defence from such a charge,—coming from such a quarter, and that in a place where he was known, but to show the temper with which the defendant conducted himself. He had gone on to say that he (Mr. *Scarlett*) wished a brief in the cause against the magistrates; but that he (Mr. *Hunt*) could not get any counsel to bring forward their conduct properly in the Court of King's-bench. Now, in answer, he would say, that if Mr. *Hunt* had wished to bring the cause before the Court of King's-bench, there was not a counsel who would have objected to undertake it, or would not have lent him all the assistance in their power. But, instead of applying to any gentleman of the bar, who, according to the rules of court, and the regular administration of justice, must conduct such proceedings, he thought of making the application himself, though he was aware he could not be heard.

Mr. *Hunt* again interrupted the learned counsel, declaring that he could not allow such mis-statements to pass uncontradicted. He had applied without success to the attorney-general.

Mr. *Scarlett* said, that if such an application was made, it was a mere application of impertinence. The defendant well knew that the attorney-general never came into the Court of King's-bench unless called there to perform an official duty. In proceeding with his personal attacks, he (Mr. *Hunt*) stated, that he (Mr. *Scarlett*) had invented part

of the charges against him, and that the bloody dagger of which he (Mr. *Scarlett*) had spoken, only existed in his distorted imagination. To show that the bloody dagger was not the creation of his fancy, he would read the part of the brief from which he obtained the statement regarding it. [The learned counsel then read a sentence to the effect stated.] The statement was not indeed supported by the witnesses, as no dagger was painted on the banner, but the mistake admitted of easy explanation. The standard alluded to had not indeed a dagger painted upon it, but the top of the staff was pointed like a dagger, as had been stated by one of the witnesses, and painted red. And then the gentleman, who, among his oratorical figures, had tears at command on the mention of this charge, shed a tear of sorrow and mortification, declaring, that he, on the contrary, so far from being connected with *Carlile*, held his principles in detestation; that he disliked them so much, that, if *Carlile* was not suffering already the infliction of the laws, he would have expressed what he felt at his temerity in attacking the sacred doctrines of religion. What had been proved in the case? Mr. *Hunt* had put into the box a witness (his most respectable witness), of the name of *Tyas*, who said that *Carlile* and the defendant were in the carriage, and proceeded to the hustings together. The defendant had asked why the magistrates were not called, and he was entitled to take the benefit of the absence of their testimony until the reason of it was explained. He (Mr. *Scarlett*) would now state the reasons which would

give the jury a clue to the whole case. Whether the magistrates on that day acted discreetly or indiscreetly, on exercising their authority to disperse the meeting; whether the constables told them what was true or false, or behaved with moderation or violence; whether the yeomanry did right or wrong in approaching the hustings, or in their conduct afterwards, had nothing more to do with the cause than whether Mr. Hunt is lord of the manor of Glastonbury, or is visited at Middleton-cottage by 'Squire Wigmore and the clergyman of the parish. On the first day, the solicitor for the crown not being aware of the course of examination, or how the learned judge would direct the proceedings, had summoned the magistrates as witnesses, and had them in attendance. But the inquiry into the conduct of the magistrates had no more to do with the inquiry now pending into the conduct of the meeting than any two events whatever. If the jury were trying the magistrates, they would be trying a more important cause than the present, and which, being connected with a deeper interest, would, if brought into view on the present trial, only tend to prejudice the public mind. This was his justification for not calling the magistrates. His lordship concurred in his opinion, and the jury would observe that the examination was always broken off or interrupted when it came to involve them. The charge on the record was to be tried in the same manner as if no magistrate, no constable, no yeoman, had appeared on the field during the day. If the meeting was in its original formation and concoction an illegal

meeting, it was immaterial to this issue whether it went through all its proceedings, and dispersed of its own accord, without any act of violence, or was dispersed by the military, or in its dispersion committed acts of violence. Though the motives of the law, in declaring meetings illegal, were grounded on the apprehended result of violence and riot, it was not necessary that that result should be consummated, to constitute its illegality? Was it safe, was it reasonable, that one man should be allowed to assume the power of commanding 80,000 or 100,000 people? His lordship had tried several riots.

Mr. Justice *Bayley*.—No, I have not, Mr. Scarlett.

Mr. *Scarlett* had thought so from the long experience of the learned judge; but he (Mr. Scarlett) had witnessed many such trials, and he had never seen a large body of the rioters themselves called to prove that there was no riot. But if, instead of 40 witnesses, the defendant had called 4,000, what would their evidence amount to? They might have said that they had gone to the meeting, some with their wives and some with their daughters; but he would show by-and-by that this was no ground of defence, and he would also show that the whole of the defence was one of craft. It had been stated to the jury, that the meeting of the 16th had been called by several hundred resident householders of Manchester. Was that proved? Did any of the friends of the doctor (Healy) give any proof of this? Why not call some of those householders? Did Mr. Hunt think that the jury were to be caught by such chaff as this? Why not

call them? Did the jury think that this would not have been done by Mr. Hunt, or his legal adviser would not have called some of those people if it was thought they could stand the fire of cross-examination? But no; there was not one single tittle of proof that the meeting had been so called. If any man preached at a public meeting the doctrine that annual parliaments and universal suffrage ought to be the law of the country, he might as well say that there should be no representation at all; but that every measure which was to operate as a law should be put separately to parishes, and let them decide; and had any man a right to say that the doctrine of universal suffrage should prevail, that every man should give his opinion upon every law, or that death should be the alternative if such doctrine were not allowed? Suppose that Mr. Hunt could prevail upon Bamford or any other of the defendants that the opinions of the "immortal Paine" were correct, he might with the same justice say, no king or death, or no republic or death. He might, it is true, hold his opinions of those different modes of government; but he had no right to say at a public meeting that we should have such government or none at all. As well might Carlile say that reason should be the law, and that we should have no religion. If such were his opinion, he might say that human beings perished like the beasts of the field; that man ceased to exist at all when he ceased to exist in this world; that the universe had no soul; that the heavenly bodies had no arrangement; that salvation was a fable, and the

Bible a fabrication, invented by the rich to keep down the poor, and that therefore it should no longer be believed. Such might be his (Carlile's) opinions; but had he a right to preach those opinions at a public meeting? Having mentioned the name of Carlile, he would ask, who was it that had invited him to this meeting—this man who had been notorious as the salesman of the *Deist* and the *Republican*? Was it his fame and the knowledge of his principles which produced him a seat in the coach with the lord of the manor of Glastonbury, and the cultivator of 5,000 acres? Had Mr. Hunt told them what brought Carlile to the meeting? Was there any man who would lay his hand to his heart and say, that it was not the approval of his principles which had brought him thither. Let them now look at the proofs which have been offered; and would any one say that they had not been sufficient to support that indictment? At a meeting which was held in Smithfield, before the close of parliament, the last summer—a meeting at which Mr. Hunt presided—certain resolutions were agreed to. Those resolutions were handed to Mr. Fitzpatrick, the last witness whom he had called. He (Mr. Scarlett) had not read those resolutions before, because he did not know whether they could be proved—he had only alluded to the substance of them. The jury had heard Mr. Hunt say, that if no heads were broken, no houses demolished at any of those meetings, therefore they were lawful. This he denied—that circumstance could not constitute legality; and he would show that, whether their result were

peaceable or otherwise, the object was a delusion of the people—not a reform in parliament, but a destruction of the government of the country. He would read some of these resolutions to the jury. The first was a declaration that every man born in the British dominions was a freeman. The next resolution declared that it was expedient that a code of laws should be provided. But why provide a code of laws—had we not a code of laws already?—a code of laws which we were bound to obey, and which could not be altered in a body except by violence? But it seemed a provisional administration was to be appointed. Why a provisional administration? He supposed, until Mr. Hunt should frame this code of laws. The next resolution was, that every man in the kingdom had a right to a voice in the making of those laws: of course that a lunatic had a right. The next was, that in order to raise a fund for supporting such a system of government, every man should pay his proportion of taxes. He did not know whether this resolution met with the applause that Mr. Fitzpatrick stated had been given to others, at least it was not so marked. He (Mr. Scarlett), however, denied that the consent of every man was necessary for the imposition of a tax. The next resolution stated the House of Commons was not formed as it ought; that might be true, its construction might not be the best, but their own government had within itself the means of removing those grievances which might arise, and no person should presume to inculcate on the people their removal by force. To the next resolutions, he

begged to call the particular attention of the jury; they were, in substance, that after the 1st of January, 1820, no man was bound in equity to obey any act of that body calling itself the House of Commons, unless it was chosen by a large proportion of the people; that books should be opened in every parish for the purpose of enrolling the names of all those men who were of sound mind and proper age, and who should have a voice in choosing representatives. This was soon known at Manchester, and it was also known that at Birmingham the people had proceeded to elect a legislative attorney. Accordingly it was found that the people at Manchester were to be induced to follow the example, and for that purpose a notice of a meeting was publicly announced, at which the unrepresented inhabitants were also to choose a representative of their own, and to adopt major Cartwright's plan of reform. Henry Hunt was announced as the chairman. The boroughreeve or constables were not mentioned; they would not do; but Mr. Hunt was to preside: sir Charles Wolseley, Pearson the lawyer, Godfrey Higgins, esq., Wooler, and others, were to be present. And here again he should observe, that not one of those whose names were said to be affixed to this notice had been called to prove that they had signed it; and this began the head of this charge against Mr. Hunt. What did he dare to do? The boroughreeve and constables were advised to attend. To preside? No; to attend and listen to what was to be brought forward. They, as became them, advised the people to abstain at their peril from such a meeting.

The legality of the meeting, at common law, was to be decided by the circumstances connected with it. Mr. Hunt had defended it, as a meeting no less legal than an assembly of citizens in Palace-yard. But who could ever contend that all the people of England might meet there. The meetings in Palace-yard were of a description that was well-known to the Constitution. The meeting at Manchester, on the other hand, was convened by some secret committee, assisted by Mr. Hunt. It was not a county meeting, nor a town meeting, but a meeting of every person who might be pleased to attend. It was, in fact, calling on all those who had any grievance, real or imaginary, to come forward, while Mr. Hunt preached his political doctrines to them. The broad question for the jury to decide was, whether this was, or was not a lawful assembly? He contended then—and he called on the jury to come to the same conclusion—that the intention of Mr. Hunt was, either to call on the people to meet for the election of a member to serve in parliament, as had been done at Birmingham, and of which purpose notice had been given on the 9th of August, or else to pass such resolutions as were agreed to at Smithfield in the month of July. If they were of opinion that the parties had either object in view, then the meeting was clearly illegal. But, even independent of that, if the mode of assembling, if the vastness of the numbers, if the system of organization which appeared—if these circumstances, taken together, conspired to impress terror on the minds of

peaceable men, it was an unlawful meeting.

The learned counsel then went through the evidence applying such parts respectively as seemed to affect the different defendants.

JUDGE'S CHARGE.

Mr. Justice *Bayley*, after a short pause, proceeded to address the jury. The great point for consideration was, the conduct of the crowd on this occasion: and as the acts of the magistrates, of the military, and of the constables, might create a prejudice in their minds, he had cautiously abstained from suffering them to be investigated or entertained in the course of the trial. The propriety of the conduct of the individuals to whom he alluded could not then be discussed; and the jury must not suffer their minds, in any respect, to be influenced by the consideration how far their verdict would operate either in favour of or in prejudice to the magistrates, constables, or military employed on the occasion in question. He should now proceed to point out to the jury the nature of the present indictment. It contained a charge of conspiracy; it contained a charge of unlawful assembly; it contained a charge of riot. But, on the subject of the charge of riot, he would not propound to them any observations, because he conceived that the consideration of the other charges alone remained for them. The circumstances of the conspiracy, as they were stated in the indictment, were these:—The indictment set forth, “That the defendants conspired to meet, and to cause and procure other per-

sons to meet, for the purpose of disturbing the public peace, and the common tranquillity of the king and realm." This was one count; and it would be for the jury to say, whether any conspiracy was made out, so as to authorize them to find a verdict of guilty. The count further charged, that the defendants met together for the purpose of raising and exciting discontent and disaffection in the minds of the subjects of our lord the king, and also to incite them to contempt and hatred of the government and constitution as by law established. Therefore there were here three heads of charge—1st. that of a seditious meeting, to disturb the public peace; a 2nd purpose was to raise and excite discontent and disaffection in the minds of the subjects of the king; and the 3rd purpose was to incite the subjects of the king to contempt and hatred of the government and constitution of the realm as by law established. The unlawful assembling was stated to be with two different views; and if the existence of either one or the other of those views were made out in evidence, it would be sufficient to warrant a conviction.

The learned judge went very fully into the law of conspiracies and illegal assemblies—adverting particularly to the opinion of serjeant Hawkins; that a public meeting may be lawful, with respect to some of the persons constituting it, and unlawful with respect to others.

The learned judge then proceeded to recapitulate the voluminous evidence, briefly commenting on it as he went on. He observed that a meeting of

60,000 persons, if they all came to a certain point, with a common knowledge of what was to be done, might create terror. With respect to the banners, he again observed, that those only who showed that they were favourable to any motto inscribed on them, by carrying, or immediately marching under them, could be considered as liable to any penalty which the illegal nature of any of the inscriptions might warrant. With respect to the inscription, "Equal representation or death," if it meant that those who adhered to such a standard would lose their lives unless they procured what they deemed "Equal representation," it amounted to sedition: but if the inscription merely meant, that if they could not procure "Equal representation," they would be starved to death, it would not come within the character of sedition. Again, the inscription of "No Corn laws" left the jury to consider, whether the meaning of it was, that the corn laws were so oppressive, that every means, legal or illegal, were to be taken in order to get rid of them; or whether it was a mere expression of disapprobation. In the former case it would certainly be sedition, in the latter it would not. He said, the phrase sworn to by one of the witnesses, as having been used by a person going to the meeting, namely, that they would "make a Moscow of Manchester," seemed to be inconsistent with the general intention expressed by the reformers on that day. There was every reason to believe that Mr. Entwistle was mistaken in the expression of Mr. Hunt about their enemies, as applied to the soldiers. With

regard to the shout set up when the military appeared, it might be the shout of consciousness of innocence, and a determination to remain on that consciousness, or it might be the shout of intimidation. Its nature was to be determined by the circumstances in which it was uttered. There was no other witness that spoke to threatening expressions but Mr. Francis Phillips.

The learned judge having proceeded through the evidence given on the first three days, and the hour having arrived at which the Court usually adjourned, said to the jury, that he would desist, and adjourn the Court if he fatigued them. No answer being returned, he continued for another hour, when an intimation was given, that, as the business could not terminate to-day, it might be convenient to adjourn now (at half-past seven). This was assented to by the learned judge.

TENTH DAY.

All the defendants soon after took their seats. The learned judge throughout the day seemed oppressed with indisposition, and repeatedly took medicine.

His lordship, in his commencement this morning, said, that he had on Saturday night advanced so far in his charge as the evidence of Shawcross, who merely produced the placards. — The learned judge then proceeded to detail the remaining evidence for the prosecution, with respect to the part taken by Mr. Hunt at the Smithfield meeting, the resolutions of which, on the 21st July, his lordship read *seriatim*, the jury were, from a consideration of the tone and temper of those

resolutions, to form a judgment of the disposition of the individual who recommended them. He commented with severity upon that one which pointed out, that the people were absolved from any obedience to the laws, except on such conditions as was therein expressed, from and after the 1st January, 1820. How far such resolutions were consistent or inconsistent with due subordination to the law, he left it to the jury to consider; as well as how far they were or were not calculated to bring his majesty's government into hatred and contempt.

The learned judge then resumed his charge, and said, that, with respect to Bamford, all that had been proved in his speech was a recommendation to peace and order. So far in favour of Bamford. With respect to Saxton, the Crown had abandoned the case. In behalf of Mr. Hunt, three different propositions were established in his favour, by the witnesses produced in his defence. First, that the procession moved to the field in the utmost order—that all the exhortations to the people were in the spirit of peace, and that they imbibed and adopted that spirit in every respect. There was no insult, no offence given, except some few loose expressions, only implicating the individuals using them, and not fairly attributable to the bulk of the people. There were none who saw sticks thrown, nor bludgeons, nor brick-bats; no panic in Manchester, all was tranquil and free from apprehension up to the moment the military arrived on the ground. It was admitted that the people shouted when the cavalry came; some said this was in defiance, but for the defen-

dants a different construction was put upon the act, and that it merely signified their confidence in being legally assembled, and their determination to remain in the discharge of what they considered a justifiable duty, without fear of interruption. If the object were legal, and the means of effecting that object legal, then the people had undoubtedly a right to remain while so conducting themselves, and there was no proper reason why they should be disturbed. Under such circumstances the people had a right to stand firm. It was also deposed, that besides the promiscuous group of women and children who came into Manchester, there were many other to all appearance respectable females who walked to and fro among the multitude, without seeming to apprehend any danger from their situation. There was also in evidence, that marks of respect were paid to loyal tunes, that not the slightest indication of disturbance took place, and that no stones, brickbats, or sticks were flung up in the air during the day, nor hooting, nor hissing at the cavalry. The learned judge then enumerated the witnesses, who spoke to the peaceable character of the meeting. As to the drilling, if it were only intended to promote regularity and convenience at the meeting, then it was not illegal. He thought they might put out of their consideration, that the words "these are our enemies," were addressed by Mr. Hunt to the soldiers in Dickinson-street, for that must have been a mistake, such an expression could not have occurred, according to the witnesses for the defence, or they must have heard

it. This was the summary of the evidence for Mr. Hunt—[Mr. Hunt suggested, that when he saw the black flag, he expressed his opinion to those around him, that it was very foolish. The learned judge assented, that it was in evidence Mr. Hunt made that remark]. The learned judge then proceeded to notice the cross-examination of the witnesses for the defence. The learned judge said he would next call the attention of the jury to the inscriptions upon the flags, and again remind them, that such as were illegal could only affect those who carried them or who followed them, assenting to their meaning and character; to such only could the flags apply. They would see, from a perusal of the inscriptions, whether any and which of them bore any similitude to the resolutions of the Smithfield meeting already adverted to. One of them (the Stockport) bore the inscription, "Annual Parliaments—Universal Suffrage,—Voting by Ballot." If these inscriptions were merely to express an opinion in favour of such doctrines, and merely an opinion without meaning to act upon it illegally, then they were not guilty of a criminal intention. The same observation applied to the inscription of "No Corn Laws." Many opinions prevailed respecting these laws, and there was no illegality in expressing them, provided the intention was not to intimidate or overawe the legislature. "No Boroughmongers." The phrase had certainly a reference to one of the Smithfield resolutions. "Unite and be Free." If that merely recommended harmony as essential to the enjoyment of freedom, it was

harmless ; if it meant to insinuate a unity of effort to promote an object inconsistent with the spirit of law, then it is criminal. "Equal Representation or Death." The same observation there again applied. It might be harmless with the meaning attached to it by one of the defendants ; but it held out the alternative of risking life for the attainment of a particular object, then it was for them to say, whether it was not a criminal allusion. "Taxation without Representation is unjust." If by that it is meant to inculcate the opinion, that it is criminal and unjust to levy taxes upon any man who has not a direct share by a vote in returning a representative to parliament, then it was for the jury to say, whether such an insinuation had not a tendency to excite in the minds of the king's subjects a hatred and contempt of the constituted authorities of the realm. The learned judge recapitulated many of the leading points of his charge with respect to Mr. Hunt ; they had evidence of his being at Smedley Cottage, on the eve of the intended meeting at Manchester, on the 9th of August, that he had that day expressed himself in terms not very respectful of the local magistracy ; that with reference to Johnson, it appeared he had gone from Bullock Smithy to Manchester, with Mr. Hunt ; he had appeared with him on the hustings, whether according to a previous concert, and for an illegal object, the jury, according to their construction of the evidence, must decide. As to the case of Moorhouse, there was evidence of less participation. Swift was on the hustings, but there was proof of his not being criminally engaged

there, or for an illegal purpose, if his witnesses' statements were correct. Against Healey there was the black flag, if they inferred any criminality from that emblem. The inscription it bore was as follows :—"No Boroughmongers ; Unite and be Free ; Equal Representation or Death ; Saddleworth, Lees, and Moseley Union ; No Corn Laws ; Taxation without Representation is Unjust and Tyrannical." Another party was led up by Wylde, but what their banners were did not appear in evidence. Jones merely put up the hustings. The learned judge was then once more about to revert to the Smithfield resolutions, when

Mr. *Hunt* begged leave, with great deference, to submit to his lordship, whether a chairman who merely received such resolutions at the moment of the meeting, and possibly without his concurrence in their formation, ought to be held so strictly responsible for their contents ?

Mr. Justice *Bayley*.—The law imposes upon a man so acting, the responsibility to which I allude. I have in my charge, Mr. Hunt, done fairly by you, in putting to the jury those circumstances which may bear in your favour, as well as those which may have a contrary operation. I have done so, I hope, impartially, I know conscientiously ; and I solemnly declare, that if this were to be the last moment of my life, I should charge as I have now charged. The learned judge then proceeded to refer to the evidence, and to enforce upon the minds of the jury, that the main question they had to try was, whether the meeting was, or was not, according to its man-

ner, calculated to produce terror, either in the manner in which it was formed, or in the circumstances that ensued before its dispersion. "Find no defendant guilty, gentlemen," said his lordship in conclusion, "whose guilt is not in your minds clearly established by the evidence—find no defendant innocent, if you think the evidence establishes his guilt; wherever a doubt arises, the defendant ought to have the benefit of it."

At a quarter past twelve o'clock the learned judge closed his charge, and the jury retired.

Shortly before five o'clock the jury returned into the box. The foreman held a paper in his hand, and said the jury had agreed upon their verdict, which he read as follows:—

"Moorhouse, Jones, Wylde, Swift, Saxton—*Not Guilty*."

"Henry Hunt, Joseph Johnson, John Knight, Joseph Healy, and Samuel Bamford, *Guilty* of assembling with unlawful banners an unlawful assembly, for the purpose of moving and inciting the liege subjects of our sovereign lord the king to contempt and hatred of the government and constitution of the realm, as by law established, and attending at the same."

Mr. Justice *Bayley*.—Do you mean that they themselves intended to incite?

The *Foreman*.—Yes.

Mr. *Littledale*.—This verdict must be taken on the fourth count.

The jury withdrew for a few minutes, and returned with a verdict of *Guilty* generally on the fourth count, and *Not Guilty* upon the remaining counts.

Mr. Justice *Bayley*.—Let the

defendants now additionally, in court, enter into their own recognizances to keep the peace and good behaviour for six months, Mr. Hunt in the sum of 2,000*l.*, Mr. Johnson of 1,000*l.*, Bamford and Healy, 500*l.* each.

The defendants subsequently impeached this verdict in the court of King's-bench, upon grounds stated in the Chronicle [*page 122, antè*]; and after repeated arguments, in which Mr. Hunt continued to act as his own counsel, the Court proceeded to give judgment on Monday the 8th of May.

The *Lord Chief Justice*.—Although this matter has occupied a considerable portion of that time and attention which is dedicated to the general administration of justice, it has not presented to my mind any doubt whatever.

The first objection taken by the defendants was to the rejection of evidence as to the supposed misconduct of the military in the dispersion of the meeting; and, in my opinion, that evidence was perfectly irrelevant to the matter in issue. The matter in issue was the object or purpose of the assembly, and the conduct of the people prior to the dispersion. If, however, any doubt upon that point could exist, the verdict of the jury, narrowing the charge to the 4th count, would remove that doubt altogether, because that count does not charge the defendants with any violence at the time of the meeting.

The second point of objection is to the admission of the resolutions of the Smithfield meeting; and the objections to this point of evidence are twofold: first, that the best evidence was not

produced which the circumstances might have afforded ; and, second, that no evidence ought to have been admitted upon the subject. With respect to the first of these objections, the papers produced were proved to have been received from one of the defendants at the time of the meeting, as the resolutions which were to be passed at the meeting ; and therefore, as against that defendant, no better evidence could exist. With regard to the latter objection, it was in proof that these resolutions had been recently proposed by that defendant at a very numerous meeting held for the alleged purpose of Parliamentary Reform—the avowed purpose of the meeting in question—at which that same defendant, a stranger in Manchester, was invited to take the chair ; and, as regarded the question of intention, I have no doubt that it was competent to show, as against that defendant, that, at a similar meeting, held for an object professedly similar, such matter had been proposed under his immediate inspection. The effect of that evidence was left to the jury : it certainly did amount to a declaration, by the defendant, of his opinions upon the subject of Parliamentary Reform. The third objection was to the reception of that evidence which regarded the training and drilling, and the assault at White Moss. The question submitted to the jury upon this head presented two points : first, the general character of the assembly ; and, second, the particular case of each individual charged, as connected with that general character. Now it was proved by the evidence, that a very considerable part of the per-

sons assembled, and indeed all who came from a distance, came to the meeting in large bodies, in organized bodies, and with a military step and movement. The conclusion which would naturally be drawn from such appearances was a point for the consideration of the jury ; and no reasonable person will say that that point was left to the jury in a manner more unfavourable to the defendants than was warranted by the circumstances. It is also proper to state, that at the particular place from which one of these large bodies came, persons had been formed and trained to marching and military movements ; and that these same persons had violently ill-treated certain individuals, whom they called spies, and had made one of those individuals take an oath that he would never be a king's man or name the king again ; and that some of the persons who composed the Manchester meeting expressed their hatred to this man by hissing and hooting as they passed his house. There can be no doubt, I think, that this evidence formed matter for the consideration of the jury. With respect to the last point—the reception of evidence as to the inscription upon the flags or banners—I think it was not necessary either to produce those flags, or to give notice to the defendants to produce them. If it were to be held that words so exhibited could not be proved unless by the actual production of the flags, why should the witness be allowed to state the colour of the flag, or even to say that he saw the flag at all ? because, according to Mr. Hunt's argument upon each of those points, the production would be the best evidence ; I think it

was good evidence in the present case, notwithstanding the assertion that some of the banners were at the time of the trial in the custody of a constable at York; because, even taking this to be the fact, if the flags had been produced, then the prosecutors might have been called upon to prove that the flags produced were the same flags taken at the meeting; to deduce them from hand to hand; and, in case one step should fail, the evidence must be rejected altogether. To require such proof would be unreasonable, and to give it, in many cases, impossible. I shall say, generally, that the whole effect of the evidence appears to me to have been left most properly to the jury: that the jury were not directed to presume against the defendants any thing which was not well warranted by the evidence; and that they have not come to any conclusion which the nature of that evidence did not fully justify. I therefore think that this is not a case in which a rule to show cause should be granted.

Mr. Justice *Holroyd* fully concurred in the opinion delivered by the Lord Chief-Justice.

Mr. Justice *Best*.—I have never entertained the least doubt upon the subject; and I also agree entirely in what has been stated by the Lord Chief-Justice.

Mr. Justice *Bayley* said, if he entertained any doubt upon the matter, he would certainly state that doubt in the strongest language to the court; but after giving the closest attention to the arguments which had been used by the defendant, it did appear to him that there was no foundation for granting the present application.

With respect to the conduct of the soldiers, it appeared to him, the learned judge said, that he should have forgotten his duty if he had permitted any evidence upon that head to be adduced at the trial. He conceived, upon that occasion, that the jury were trying, not the demeanor of the soldiers, but the demeanor of the crowd. If the soldiers had misconducted themselves, they were liable for that misconduct to be put upon their trial; and it would have been most unjust to prejudice the question against them, unless such a course had been absolutely necessary for the purposes of the defence. That description of evidence did not apply to the charge upon the face of the indictment; and as far as it could apply to any evidence given by Mr. Hulton or by Mr. Entwistle, the evidence of those gentlemen had been combated by the most complete admission of evidence, to show non-resistance upon the part of the people. With respect to the other points, the learned judge went over nearly the same arguments as the Lord Chief Justice. It had been said by the defendants that guilt ought not to be presumed. He (Mr. Justice Bayley) entirely concurred in that sentiment; but if it were meant to say that a jury were not entitled to draw from evidence that presumption which would be the natural result of such evidence, then he entirely differed from that doctrine, because at every ordinary session, courts were in the habit of acting upon presumption—upon presumption drawn either from the presence of evidence on the one side, or from the absence of evidence on the other. He con-

curred entirely in what had been said by the lord chief justice.

The *Attorney General* now alluded to the length of time which the case had occupied, and proposed that judgment should be immediately pronounced.

Mr. *Hunt* requested that the defendants might have time to prepare.

The *Lord Chief Justice* thought the request reasonable, and said it should be complied with.

The defendants were brought up for judgment on the following Monday (the 15th of May) [for their respective sentences, see Chronicle, page 147.]

LEICESTER ASSIZES *March 23.*

Trial of Sir Francis Burdett for a Seditious Libel.

Mr. *Balguy* opened the proceedings. He stated, that this was an information filed by his majesty's attorney-general against the defendant, sir Francis Burdett, for a libel. The first count charged, that the defendant, being, &c. and intending, &c. did on the 22nd of August 1819, publish a certain libel. The count then set out the libel *verbatim*, which was in these words:—

“ *To the Electors of Westminster.*

“ Gentlemen ;— On reading the newspaper this morning, having arrived late yesterday evening, I was filled with shame, grief, and indignation, at the account of the blood spilled at Manchester.

“ This, then, is the answer of the boroughmongers to the petitioning people—this is the proof of our standing in no need of Reform—these the practical blessings of our glorious boroughmongers' domination—this the use of a standing army in time of peace. It seems our fathers were not such fools as some would make us believe, in opposing the establishment

of a standing army, and sending king William's Dutch guards out of the country. Yet would to Heaven they had been Dutchmen or Switzers, or Hessians, or Hanoverians, or any thing rather than Englishmen, who have done such deeds. What! kill men unarmed, unresisting, and, gracious God! women too; disfigured, maimed, cut down and trampled on by Dragoons! Is this England? This a Christian land? A land of freedom? Can such things be, and pass by us like a Summer cloud, unheeded? Forbid it every drop of English blood in every vein that does not proclaim his owner, bastard. Will the gentlemen of England support, or wink at such proceedings? They have a great stake in their country: they hold great estates, and they are bound in duty and in honour to consider them as retaining fees on the part of their country, for holding its rights and liberties: surely they will at length awake, and find they have duties to perform.

“ They never can stand tamely by, as lookers-on whilst bloody Neros rip open their mother's womb; they must join the general voice, loudly demanding justice and redress; and head public meetings throughout the United Kingdom, to put a stop, in its commencement, to a reign of terror and of blood; to afford consolation as far as it can be afforded, and legal redress to the widows and orphans—mutilated victims of this unparalleled and barbarous outrage.

“ For this purpose I propose that a meeting should be called in Westminster, which the gentlemen of the committee will arrange, and whose summons I will hold myself in readiness to attend. Whether the penalty of our meeting will be death by military execution, I know not; but this I know, a man can die but once, and never better than in vindicating the laws and liberties of his country.

“ Excuse this hasty address. I can scarcely tell what I have written; it may be a libel, or the attorney general may call it one just as he pleases. When the Seven Bishops were tried for libel, the army of James 2nd, then encamped on Hounslow Heath, for supporting arbitrary power, gave three cheers on hearing of their acquittal.

"The king, startled at the noise, asked, 'What's that?' 'Nothing, Sir,' was the answer, but the soldiers, shouting at the acquittal of the Seven Bishops. Do you call that nothing? replied the misgiving tyrant; and shortly after abdicated the government.

"'Tis true, James could not inflict the torture on his soldiers—could not tear the living flesh from their bones with the cat-o'-nine tails—could not flay them alive. Be this as it may, our duty is to meet; and England expects every man to do his duty.

"I remain, Gentlemen,

"Most truly and faithfully,

"Your most obedient servant,

"FRANCIS BURDETT."

The learned counsel said, that the information contained other counts, laying the charge in a different manner.

Mr. Sergeant *Vaughan* then addressed the jury. He took it for granted, that there would be no contest as to the publication of the letter, as the defendant had formerly acknowledged himself to be author of it, and no doubt he would again admit that fact to-day. The only question therefore was, whether it were or were not a libel, and of this they were the proper judges. He had no hesitation in saying, and he wished it to be noticed as his opinion, that any writing that was published with the intention of bringing the government of the country into hatred and contempt was a libel; and, taking that rule, it was not uncharitable to suppose that the writer of this letter meant that which appeared on the face of this information. If they thought it was his intention to do that which was charged against him, it was their duty to find him guilty. The letter related to certain transactions at Manchester, which were now under discussion in another country. They were not now to make

up their minds whether the meeting at Manchester on the 16th of August was a legal or an illegal meeting; but no reasonable man, he thought, could say that it was not an illegal meeting. But even if the meeting of the 16th of August had been a legal assembly, and had been illegally dispersed, and if the soldiers had committed those excesses and cruelties that were charged against them, a person was not justified in writing such a letter as the one in question.

The learned sergeant proceeded to analyse the letter which was the subject of indictment, drawing its plain and obvious meaning in grammatical construction from each passage, as he proceeded. In conclusion, he observed, that he had now stated to the jury the whole of the letter. It was difficult for him to conceive any thing that could be delivered in stronger terms; and it was the duty of government to put down libels of this description. The jury were the censors of the press, and the guardians of law, and it was their duty to see that the administration of the country should not be brought into contempt and hatred.

Mr. *Samuel Brooks* (1st Witness), lived at No. 101, Strand, London. He knew the defendant, and was acquainted with his hand-writing. On being shown the paper in question, he said he believed it to be the hand-writing of the defendant—it came to him through the hands of Mr. Bickersteth, a professional gentleman; it was in an envelope, which had been mislaid—he did not look at the envelope to see whether it had a postmark on it: the envelope contained no directions to him, but merely to Mr. Bickersteth, to pass it to him. When he received it, he supposed that it was intended that he should publish it. He sent it to several papers, and

afterwards saw it in *The Times*, but could not recollect when. The letter was dated the 22nd of August, and he believed he might receive it a day or two afterwards.

Mr. *Tooke*, an attorney of London, was then called, and proved the handwriting of Sir F. Burdett to the envelope.

W. *Simplin*, the keeper of the toll-gate near Kirby, being called, said that he saw Sir Francis Burdett near the gate on the 22nd of August last. The gate was about 100 yards from the house of Sir Francis Burdett. He saw him again on the following day about the same place. This was in the county of Leicester.

The witness having retired from the box, was recalled, and asked some questions by Sir Francis Burdett. He did not know that Kirby farm was on the borders of several counties. He knew that it was in the county of Leicester.

Mr. *Brooks* was called again, and said, that he had inserted the letter of Sir Francis Burdett in several papers, and among others the *British Press*. This paper was produced. When he sent the letter to the newspapers, the publication was left to their own discretion. They were not paid for it.

[Here this letter was read, and also that addressed to Lord Sidmouth.]

Mr. Sergeant *Vaughan* stated that this was the case on the part of the Crown.

Mr. *Denman* submitted that there was no proof whatever of the publication of the letter in question in the county of Leicester. Now he contended that there must be not only proof of publication, but of publication within the proper jurisdiction, before the defendant could be required to answer the charge. He would make the supposition that Sir Francis Burdett rode out, on the day the letter was written, to a neighbouring county, and there saw Mr. Bickersteth, and delivered it to him. There were several important cases in point,

but what he chiefly dwelt on was the case of the Seven Bishops. The petition or remonstrance to the king was written in the county of Surrey, in the palace of the archbishop of Canterbury at Lambeth, and there was no proof of publication in London. It was therefore objected that they were not called upon to answer the charge. This the court admitted, and it was not until lord Sunderland proved that the bishops had presented the petition to the king in the county of Middlesex, that the objection was removed. In the present case the letter was supposed to be written and delivered in the county of Leicester, and the printing took place in London. But the principle was the same. The case of "the King against Williams," which might be seen in Campbell, 215, was in point. In the case of "the King against Watson," which was a case of challenge, a letter was put into the Post-office in Gerrard-street; but that was not held an act of publication; but the prosecutor, general Gwyn, having received the letter in the King's-mews that made out the publication. But the case of the Seven Bishops was sufficient for his purpose, for if there had been no proof of the delivery of the petition in London, the trial could not have proceeded.

Mr. *Phillips* followed on the same side.

Mr. Justice *Best* was of opinion that the case was fit to be referred to a jury. If he should be wrong, the question might be determined on a motion for setting aside the verdict. He completely subscribed to the doctrine of the judges in the case of the Seven Bishops. But then those

rev. persons were not tried in the county where the paper was said to have been written, but in that where it was supposed to have been published. It should have been shown that they were tried in the county of Surrey, and that there were doubts of the paper having been signed there, in order to establish a similarity between that and the present case. In the case of "the King against Justice Johnson," the paper charged as a libel was transmitted from Ireland, and the publication in London was held sufficient, but that did not prove that the defendant might not have been tried in Ireland.

Sir *Francis Burdett* said, the first question the jury had to try, was a fact of which there was not a tittle of evidence before them; so far from there being any proof to show that the letter was put into any post-office in Leicestershire, he declared he did not know himself, nor did any of his servants know what office it had been put into; so much was he in the habit of going about to different places, writing letters in different places, and putting them into different post-offices. He next adverted to the unconstitutional power possessed by the attorney-general of filing *ex officio* informations. Why did not the attorney-general send him to a grand jury in Middlesex, and try him there? The reason was, that he despaired of a conviction in Middlesex, and expected he should find men in this county who entertained strong prejudices against him for his supposed political principles. In doing this, the attorney-general libelled the juries of both places. Under the administration of Mr. Fox, this

power of filing *ex-officio* informations had never been exercised but in one instance. If indeed it were possible to defend the existence of such a power, it must be whilst intrusted to the discretion of such men as sir Samuel Romilly. The case selected for prosecution was that of a writer in the *Morning Post*, who had published a statement when a military force was about to sail on a foreign expedition, declaring that the vessels in which the soldiers were to be embarked were not sea-worthy. It was not easy to imagine any thing more mischievous or more likely to produce mutiny, and if false, more deserving of reprobation than such a statement; and it was charged in the information, that the matter so published was altogether untrue. Had it been otherwise, he, for one, should have thought the writer deserving of thanks and approbation, rather than a criminal prosecution. Before the case came on for trial, the ministers were dismissed from office, the writer withdrew his plea of not guilty, thereby admitting the falsehood of the statement which he had published, and his patrons having got into power, he was never called up for judgment. He alluded to these circumstances in order to show the nature and spirit of these prosecutions. Had Mr. Locke written his work upon government a few years before, the crown lawyers would have described it as a wicked and seditious libel. The circumstance of his being tried by a special jury was in itself evidence that the offence with which he was charged was not of a very heinous character. Falsehood, which was

in ordinary cases the *gravamen* of the complaint, was omitted altogether in the information against him. The attorney-general had stronger motives than he could have for doing what was wrong, inasmuch as the learned gentleman had his fortune to make, whilst he (Sir F. Burdett) was satisfied with what he was already in possession of. If he was charged with a murder, he should know how to defend himself; but, not when charged with what was called a libel. The law of libel was even more undefined than the military law, for every military man knew how to conduct himself so as to avoid punishment. But no man could tell whether he might not be prosecuted for any thing he wrote. After dwelling for some time on these topics, he entered into an examination of the letter he was charged with writing; and observed that he could not conceive why it should be considered disaffection in him to lament, that soldiers had cut people to pieces; or how it could excite dissatisfaction in the military. He had addressed the letter to his constituents, and to the country gentlemen of England, with the very view of obtaining legal redress. There was nothing in the letter more than the words which it contained, for no *innuendo* could be made out from it; and it was most unfair in the learned counsel to attempt to infer an *innuendo* from any part of the letter. But he maintained that the whole proceeding was out of that court—out of its proper jurisdiction—for that letter was published in Middlesex alone. He contended, that the Manchester meeting, which was the subject of this letter,

was not illegal; for he had been in parliament a quarter of a century, and he always understood that any number of persons might legally meet to present petitions, and it was not until very lately, that a noble and learned lord had twisted out some obscure points of law to prove, that a meeting, when it became very numerous, became illegal. Until that declaration was made, all public meetings were considered as legal. In support of this assertion, he quoted the opinion that had been given by lord chief justice Holt, who declared that any person who killed another on account of being in a great meeting, was guilty of murder. As to reading the Riot-act, it ought not to be read till there was a riot; when an hour was allowed to the people to disperse; and there was nothing in such case to justify the sending of military among the rioters.

Sir Francis Burdett then read extracts from different speeches of his, to show that no intention, such as that charged in the indictment, could be imputed to him.

He should have been ashamed to have addressed them at such length, but that he grasped at the opportunity afforded to him, by being thus called on, to set himself straight in their view. They would go out of court with different ideas of his character and intentions. The attorney-general they would dismiss, as lord Escalus, who presided with Angelo, in the play of *Measure for Measure*, dismissed his officer—

“*Angelo*.—How, now, Sir? What’s your name, and what’s the matter?

“*Elbow*.—If it please your honour, I

am the poor duke's constable, and my name is Elbow; I do lean upon justice, Sir, and do bring in here before your honour a notorious benefactor.

"*Angelo.*—Benefactor! What benefactor is he? Is he not a malefactor.

"*Elbow.*—What is't your worship's pleasure I shall do with this wicked caitiff?

"*Escalus.*—Truly officer, because he hath some offence in him that thou wouldst discover if thou couldst, let him continue in his courses till thou know'st what they are."

Mr. *Denman* here offered evidence to prove the statements respecting the Manchester meeting.

Mr. Justice *Best* said, that which related to the proceedings at Manchester was irrelevant; he would allow no evidence of what had passed there.

Mr. Sergeant *Vaughan* replied. He admitted the legality of the Manchester meeting at its first assembling, but denied that that question could affect the present case.

Mr. Justice *Best* said, the question was, whether this paper did not excite to disaffection? He had no hesitation in saying that it was a libel. Nothing occurred that could form any excuse for the most intemperate men, in saying that a reign of terror and blood was commenced in this country. If terror and blood were on one side, what must have been upon the other? He was sorry to find the passage there which stated, "A man can die but once;" there never was a more striking instance of the mock heroic. The defendant knew perfectly well that no attempt would be made to interrupt the meeting at Westminster. Could any one tell him that any thing could be more pregnant with mischief than the passage respecting the punishment of soldiers? The govern-

ment rested not on the army, but on the affections of the people. If the paper was calculated to do infinite mischief, that mischief must have been intended. More poisonous ingredients never were condensed in one paper.

The Jury conversed together in the box for about two minutes; the foreman then stepped into his place, and called out, Guilty of Libel.

Mr. *Denman* remarked, that the verdict did not find the publication in Leicestershire.

Mr. Sergeant *Vaughan* contended it did.

Mr. Justice *Best* (to the foreman).—Do you find the libel published in Leicestershire?

Foreman.—Guilty of libel in Leicestershire.

Mr. Justice *Best.*—Had you not better then find the general verdict, Guilty; that is the common form?

The Foreman assented.

[*Note.*—This verdict was afterwards impeached in the Court of King's-bench, upon several grounds—an irregularity in the impanelling the jury—the exclusion of evidence respecting the transactions at Manchester—a misdirection of the learned judge; and a point which gave occasion for considerable discussion—the want of any proof of a publication in Leicestershire. The case was argued with great learning, through several terms; and the Court did not give judgment until Hilary Term, 1821, when all the objections were overruled.—Mr. Justice Bayley dissented upon the last point.—The defendant was sentenced to a fine of 2,000*l.* and three months imprisonment in the Marshalsea of the Court.

The particulars of the judgment, and an abstract of the argument will be given in the next Volume.]

LANCASHIRE ASSIZES.

Saturday, April 1.

The King v. Knight, Dewhurst, and Six others.

John Knight, George Dewhurst, Nathan Broadhurst, John Adamson, William Fletcher, John Bury, John Astin, and James Wade, were put to the bar, and the indictment being read to them, they severally pleaded—Not Guilty.

Mr. *Littledale* stated to the jury, the nature of the indictment, which contained 21 counts; the substance of which was, that the prisoners had conspired to go, and cause others to go, armed to a meeting for the purpose of hindering and obstructing the magistrates and peace-officers in the execution of their duties.

Mr. *Scarlett* stated the case to the jury.

The first witness was

W. Chaffer, who said he was a constable of Burnley. A notice of meeting had been placarded for the 8th of November, but it was afterwards advertised for the 15th; in the forenoon of that day, large parties arrived at Burnley, preceded by music with banners, and proceeded through the town, to the place of meeting, where hustings were erected. As they were passing through the town, colonel Hargreaves, who was on horseback, dashed among the crowd, and seized a staff which appeared to have been prepared for a pike-handle, and brought it away without opposition. He supposed the numbers assembled to amount to 3,000 or 4,000. There were 18 flags, and three caps of liberty.

Cross-examined by Mr. Williams.—He noticed several of the inscriptions on the flags: on one was "Keep them within compass;" another was "Order, order!" Some of them appeared to be

religious mottos, such as "A false balance is an abomination to the Lord, but a just weight is his delight."

Richard Fletcher (2nd Witness) stated, that he was in company with a man named Wilson; he saw several of the people with staves, and on their arriving at the ground, they picked out the dirt from the holes which were made to receive the pike heads. He saw several persons with pike-heads secreted under their coat-sleeves, and under their breasts. He immediately left the field to inform the magistrates. He returned soon after, and heard a cry, "The soldiers are coming," whereupon a number of people pulled out their pike-heads, and many of them fixed them in the poles. He saw 60 persons pull out their pikes, but only 8 or 10 fix them. He also saw 20 other persons draw out their pistols: those persons who so conducted themselves were near to the hustings. When the alarm had subsided, they replaced their weapons in their former concealment. The alarm turned out to be false. Knight was not at this time arrived. In about half an hour after this alarm Knight arrived, and was voted to the chair, when a cap of liberty was placed on his head, and he addressed the assembly. He dwelt a good deal on the corn-laws, and lamented that so many persons were hanged for forgery: after which he read the resolutions, and they were approved by the meeting. Witness could not recollect the substance of them. While this was going on, there was a second alarm that "The soldiers were coming," when several of the people again pulled out their pikes and pistols, but this also turned out to be a false alarm, when they again concealed them. This alarm caused many people to run, when Knight and the other people on the hustings called to them to be firm, and not to run. After Knight left the chair, Dewhurst took it, and proposed a resolution, "That if Parliament should pass any gagging bills, the reformers should rise and meet on one day." He said, if they did not, he should call them the greatest slaves upon earth.

William Wilson said, that he was a reed-maker, and lived at Burnley: and after stating the circumstances detailed by the last witness, he went

on to give a more detailed account of Knight's speech, and represented him to have said, that if the Manchester magistrates were not brought to justice, there was an end of all good government, and the people had a right to destroy such a government, or make a new one, or to return to a state of nature, and live without one; and he proposed a resolution to oppose the measures of ministers, if they brought into parliament any bills to curtail the liberty of meeting to discuss political subjects.

Mr. *Samuel Howarth* (3rd Witness), a surgeon, residing at Burnley, stated, that he went to the meeting, and was there when an alarm was given about the soldiers, and then he saw one pistol, but no pikes.

Henry Bury and *John Walton* corroborated the evidence of Fletcher and Wilson as to the pikes and pike-staves: and Bury added, that a party of reformers, on their return home, discharged as many as 100 shots; he could not say what number of pistols, but he heard that number of shots in different directions.

Christopher Edmondson stated, that he saw colonel Hargreaves seize a stick before-mentioned; and at that moment saw one of the reformers, with a pistol in his hand, looking at the colonel, and asked one of his companions, "Shall I shoot?" His companion answered, "No, you must not;" when he returned the pistol into his pocket.

Several other witnesses were then examined, corroborating the testimony of the former witnesses as to the character of the meeting, after which

Mary Hoyle was called, who positively swore that Wade was the man who pointed the pistol at colonel Hargreaves, as described by the witness Edmondson.

John Carter proved that he saw the man draw the pistol and look at the colonel, but neither of the prisoners was the man.

A woman, named *Hanson*, proved that she saw the reformers after the meeting was over, several of them bearing pike-staffs, like umbrellas: she also stated, that she saw in a public-house a pike-blade half a yard long, which a man carried in a leather sheath; it was sharp on both sides like a razor; the screw was four inches long.

The placards which announced the meeting, and also the staff seized by colonel Hargreaves, were produced.

Shortly after four o'clock, Mr. Williams rose and addressed the jury for the defendants, in a speech which occupied upwards of two hours in the delivery. It formed, he said, no part of the original design of the persons who assembled on this occasion, that any part of them should come armed; and therefore the isolated fact, that a number of persons came to the meeting with arms, to be used, as appeared, solely for their own defence, could not render the meeting illegal. With respect to the charge of the conspiracy, the learned counsel observed, there had not appeared a single iota of evidence to prove its existence. It was the undoubted right of Englishmen to carry arms in self-defence. And could it be wondered, that these persons should have prepared themselves with weapons of self-defence, recollecting the transactions of the 16th of August, and the forcible dispersion of the meeting on that melancholy occasion.

SECOND DAY.

Monday, April 3.

The Court met this morning between nine and ten o'clock; and the names of the jurors having been called over,

Mr. Williams observed to the Court, that he feared he had on Saturday spoken with too much diffidence on the law as to the right of the people to carry arms in self-defence. He now stated broadly that the people had the right, and it was only the ill use

of them that could constitute the crime.

Mr. Justice *Bayley*.—I cannot consider that persons have a right to go armed in that way in contemplation of an attack.

The examination of witnesses for the defence was now proceeded in.

John Cross, examined by Mr. *Williams*.—Has known Fletcher from a child. Saw him three or four weeks after the Manchester meeting, and he then asked the witness if he had his pike ready, for it would soon be wanted.

Mr. Justice *Bayley*.—I do not think this is admissible, but I will take a note of it, and wish you to state the nature of the evidence.

Mr. *Williams*.—We propose to show, by this witness, that Fletcher was in the habit of inciting and soliciting people to arm themselves.

After some observations from the prosecutor's counsel,

John Cross was called again.—Fletcher told me the pikes were preparing. I said I did not believe there was such a thing. He told me he could take me to where there were plenty.

James Chadwick was called, as stated by Mr. *Coltman*, to prove violent expressions used by Fletcher against the government; but Mr. Justice *Bayley* thought it was not admissible evidence.

Mr. *W. Lees*, watch-maker, was at the place of meeting before the people arrived. Saw them come in with music and colours, not different from Orange meetings. Saw no arms.

Cross-examined by Mr. Raine.—He had the Haslingdon flag at his house for three or four days, with the inscription, "Thou wast covered with anger, and persecuted us. Thou hast slain us, and hath not pitied us. Cursed be their anger, for it was fierce, and their wrath, for it was cruel."

R. Haworth was at the Burnley meeting; went about one o'clock, before the large body came in. They came in civilly. Saw Knight arrive. Went within about ten yards of the hustings; heard alarm of military, once before Knight came, and once

after. Did not see any pikes or pistols on either occasion. Could hear distinctly all that was said; nothing was said about overthrowing the government, or all rising in one day. When the second alarm was given, Mr. Knight put out his hand, and said, "Be still; I can see the danger before you—be peaceable, and keep good order." Every thing was peaceable, except when the report was made of the soldiers.

James Ormrod Atkinson.—I got to the meeting about one o'clock, and stopped until it was over. I did not hear an expression about overturning the government. There was something said about their rising in one day to petition the Prince Regent about a law that was to issue.

To questions from Mr. Justice *Bayley*.—I was there when the alarm of the soldiers was given before Knight came. It did not induce me to move away. I did not see any pikes, or pistols, or staffs. I never saw a pike in my life. I heard a single report of a pistol as I was going away; it appeared to be at a distance from the crowd; I did not see the smoke.

W. Montgomery.—I was at the meeting before Mr. Knight arrived, and stopped until it was over. Nothing was said about overthrowing the government.

Cross-examined.—One Patrick Hughes who was hanged was apprehended at my house. Remembers "Annual Parliaments, Universal Suffrage, and Election by Ballot on the flag."

Robert Howorth.—Heard the speeches and resolutions; but nothing about overthrowing the government.

Cross-examined.—No pike-handles were found at my premises, but a shaft belonging to a loom. There was on a flag "Magna Charta, Bill of Rights, Liberty or Death, Universal Suffrage, Annual Parliaments, Vote by Ballot." Saw a figure of a woman holding a child, but whether it was without a head, I cannot tell. Saw no sticks, or pikes, or pistols.

James Pollard.—Went to meeting. Could hear what was said; no word about overthrowing the government.

Cross-examined.—Might see the words "No Tyranny."

By Mr. Justice *Bayley*.—I remember that it was said, if the Habeas Corpus Act was suspended, the people

were all to meet on one day through the kingdom to send a petition to the Prince Regent.

William Dyson, of Rough Leigh, got to the ground about one o'clock; went after his children, who had cheated him, to send them home. Heard Mr. Knight tell the people to keep peace and quietness.

Here the case for Defendants closed.

Mr. *Raine* (in the absense of Mr. *Scarlett*) replied.

Mr. Justice *Bayley* said, the two charges to which the jury should confine their attention were, first, that the defendants and others had unlawfully assembled for the purpose of exciting disaffection, &c.; and the second was, that they had assembled to the common terror and alarm of his majesty's liege subjects. His lordship then proceeded to lay down the law upon both these points, nearly in the same terms as those he used in addressing the jury at the recent trials in York. In looking at the present meeting, the jury might be of opinion that the object of the great body assembled was lawful, and their intention innocent; but if there were any amongst them who wished to give a wrong turn to those intentions, the meeting, as far as they were concerned, would be unlawful, and they would be guilty, though all the others might be innocent. If some persons went armed to the meeting in the expectation of attack, and determined to make resistance, they would be acting illegally; and any person who saw them there, and remained afterwards, would also be acting illegally. He had no difficulty in saying, that the people had no right to carry arms to a public meeting because they might con-

template being attacked. In a recent investigation which had taken place before him, respecting a large assembly of a similar nature, it appeared that a great portion, at least one-eighth part of it, was composed of women and children; which circumstance had made a great impression on his mind that no mischief was contemplated or to be apprehended on that day.

The jury retired, and after consulting together for about 20 minutes, returned with a verdict of, — *Guilty* against all the prisoners, except two (*Wade* and *Astin*) as to whom the prosecution had been given up.

It was remarked that the verdict was a general one; though Mr. *Raine*, in his reply, had given up the counts which referred to the charge of conspiracy. It was, however, understood in court as not applying to that charge.

CHESHIRE ASSIZES, April 10.

Trial of Sir Charles Wolseley, bt. and of Joseph Harrison, for Sedition.

Eight special jurors and four talesmen were sworn.

Mr. *Lloyd* stated the indictment to be against Sir C. Wolseley, bt. and Joseph Harrison, school-master, on two grounds. The first count charged that they had excited to tumult and insurrection, by holding a numerous meeting on the 28th of July, and addressing seditious words to them, calculated to bring the government into hatred and contempt. The second count charged that they had agreed together to stir up the people to tumult and insurrection, and to excite hatred

and contempt against the government.

Mr. *Benyon* (the local Attorney-general) rose on the part of the prosecution. The two defendants, Sir Charles Wolseley and Mr. Harrison, were, he said, well known: the first was a gentleman of estate in the county of Stafford, and had inherited a considerable paternal property, together with the rank and title of baronet, which had been conferred upon one of his ancestors in the reign of Charles the First: the second defendant, Mr. Harrison, had been, until lately, a stranger in the county of Chester; he was, the learned counsel believed, a dissenting minister and a schoolmaster. [Here Mr. Benyon detailed the particulars of the Stockport meeting on the 28th of July which formed the subject of the indictment, as they were afterwards deposed to by the witnesses.] The meeting was numerous, and was attended by men who had bludgeons in their hands; those bludgeons were not merely carried for show, or for intimidation, but a constable, whom they were pleased to call a spy, was nearly put to death by some persons in the crowd. At a particular house a platform had been erected, upon which the leaders mounted. It having been previously agreed that Sir Charles Wolseley, as a gentleman of rank and property, should be called to the chair, that individual took the chair amidst the acclamations of the crowd: he then opened the meeting, and used the seditious words imputed to him by the present indictment. He said, "that he was in Paris at the beginning of the French revolution: that he was the first man who

made a kick at the Bastile; and he expressed his hopes," and the jury would hear in what direction he then pointed, "that he should be present at the demolition of another bastile." He then abused the ministers of the crown, and said that he could not find terms in which to speak with sufficient detestation of them. He spoke of spies, and said that he detested their employers, Sidmouth and Castlereagh. He said, that where the people were not represented, no allegiance was due—taxation was a robbery—and resistance to the government justifiable. Mr. Harrison, the second defendant, followed Sir Charles Wolseley. He declared against "petitioning any more, which he considered degrading and humiliating. There would be a meeting (he said) of delegates at Oldham, on the Monday following, at the Union-room, for the purpose of establishing a national convention; and it would also be one of its duties to devise farther means for extending and consolidating the national union." The intimacy between the defendants would be clearly made out. The first evidence upon this point would be, the learned counsel said, a letter, written by Sir Charles Wolseley a day or two after the meeting, which would prove that the defendants had corresponded previous to the meeting. The letter was dated 30th June, 1819, and was to the following effect:—

"Sir Charles Wolseley begs to inform the Postmaster of Stockport, that he much suspects that a letter that was written by the Rev. Mr. Harrison, and delivered into his office on the 24th of June, before witnesses, directed to Sir Charles Wolseley, and only arrived to day, has been knowingly delayed in his office, to serve

some corrupt purpose. Sir Charles Wolseley, however, begs to say, that he would advise for the future that no such delays take place: for he has taken such measures as will ensure him the proof: whenever Sir Charles, for the future, shall think proper to write to Stockport, he means to seal the letter with his own arms, which cannot be counterfeited, and, if broken open, it is a felony. He thinks proper to say thus much, as Mr. Harrison told him a letter had arrived, a day or two ago, that had been broken open by some one, and it might as well have been his or any body's else."

To Sir Charles Wolseley's letter, the answer of the Postmaster was this:—

"Sir;—In reply to your letter of the 30th June, received yesterday, I beg to say, that no letters belonging to any persons whatsoever have ever been detained or opened in this office; neither has any one ever presumed, directly or indirectly, to require of me so gross a breach of my duty. I am proud to say that I am in a service where such base compliances never are required."

He would not, however, leave the case to rest upon grounds so slight: a letter should be read to the jury, written by Harrison to a man named Bagueley, now suffering imprisonment in Chester gaol for a similar offence to that with which he himself stood charged, two days after the meeting of the 28th July. Bagueley's conduct in prison had been so bad, that it had been thought advisable to open his letters. The letter was this:—

"My dear Friend;—I should have written yesterday, but there is so much hurry and bustle attends a public meeting, that some time elapses before there is an opportunity of engaging in private business: but I trust you will have the letter as soon as if it had come yesterday, only posting them at Manchester often prevents the postage from being paid. Our meeting on Monday was by far the most numerous we have had. We had the honour of Sir Charles Wolseley for

chairman. Mr. Lewis from Coventry was with him; and Mr. Goodman from Birmingham, or Warwick, I forget which. The resolutions were the same as those at Ashton, but rather stronger; and the appeal to the nation the best that has been made. Our flag, "Universal Suffrage," "Annual Parliaments," "Election by Ballot," and, the other side, "No Corn Laws," over which was placed the Cap of Liberty. The principal speakers were Mr. Lewis, Fitton, Saxton, Knight, Self, two sailors, and one soldier. Great threatenings had been made to take the cap, and many loyal souls had vowed and sworn to bear it off in triumph; but no black faces, no besoms, no dandies, no military, attempted to put the resolution in force. We met peaceably, stayed peaceably, and peaceably parted. Upwards of 200 sat down to a good dinner in the Union rooms. Sir C. Wolesley honoured us with his company until near nine o'clock; and then, amidst the cheers of 10,000, rode off with Mr. Johnson to Manchester. Messrs. Goodman and Lewis accompanied him. You will have a full account in the paper of Saturday next. I am afraid Wardle will not be able to carry on. He only printed 50 last week, owing to his stamps not being arrived, which will give him a check that he will not easily recover; and therefore, perhaps, it may be as well at present to continue the paper you have. It is the wish of your friends that you would now and then furnish Wooler with an article direct; and that you would publish the evidence in your favour at your trial; at least some of the principal parts of it. It may easily be introduced into a letter to Wooler or Sherwin, as the affidavits of the witnesses. As soon as you have leisure, I wish you to write a political dialogue between Bagueley, Drummond, and Johnson. This method of writing always arrests the attention, and sells well. It will be the means of increasing the funds, as many would buy a paper who would not give a penny. The weavers are the best givers; but, alas, they have nothing to give now. As the cause of reform advances, it becomes more and more expensive, and the means more and more circumscribed; therefore the greatest exertion must be made to obtain a sufficient

support for those in a state of confinement. Inclosed, as usual, are 21."

After this, the learned gentleman continued, it would scarcely be said that Harrison was not implicated in the transactions of the 28th of July. There was no impropriety in a peaceable meeting for the purpose of seeking reform in parliament, but the conduct of the meeting on the 28th of July had been calculated, not for the reform of the British constitution, but for the subversion of it.

John Kenyon Winterbottom (1st Witness) was a solicitor in Stockport. He saw a public meeting in the town of Stockport, between one and two o'clock on the 28th July last. The place is called Sandy Brow. He should think there were 4,000 or 5,000 assembled. He was not so near as to observe whether they were strangers or inhabitants. They were quiet at first. Most of them had sticks, which appeared to have been newly cut from hedges. They were not walking-sticks. The population is upwards of 20,000. Several persons were on the scaffold. Sir Charles was pointed out to him as one: he knew Mr. Harrison, and saw him there. Mr. Harrison taught a school there. Sir Charles had no connexion that he knew with Stockport. The first thing he observed was a hissing by the whole multitude. The next thing he observed was passing some resolutions. There was a chairman, he believed Sir Charles Wolseley. He heard all distinctly: he only heard Sir Charles say "unanimous," on passing the resolutions; he was in an upper room, about 100 yards from the scaffold. The people held up their hands; he saw them hold up their sticks, and conjectured it was on account of the noise made by playing on an organ. He saw no respectable inhabitant of Stockport among them. At the time he entertained no apprehension for peace or property. He conceived that if they continued together till night, it would be dangerous. He heard Harrison say, "The House of Commons was the people's servants; that it was as absurd to petition them as it would be for a master to petition his groom for his horse. He said that there was

a barrier between the throne and the people, which must be removed either by force, from heaven or hell, in order that they might see whether a man or a pig was upon the throne." He thought there was laughter. The expression of derision was general. Harrison said, "The united will of the people was sure to prevail. It was an axiom that could not be confuted. It might be necessary in some cases to petition the House of Lords, who were, by the constitution, placed in a different situation to the House of Commons; but in the present corrupt state of things it was useless, and he would not recommend it." He did not remember any thing else. The discourse was certainly received with applause. Sir Charles Wolseley was on the same stage, not two yards from Harrison.

Cross-examined by Mr. Pearson.—He was perhaps less, perhaps more, than 100 yards distant. There were women, about 100 or 200. Perhaps there were children, he did not see any. He had not a remarkable memory; he was not accustomed to attend meetings. His attention was not particularly called to Mr. Harrison. He heard him very distinctly.

Here Mr. *Pearson* read a speech of Harrison's from a newspaper, and asked the witness to repeat it after him.

Mr. Sergeant *Marshall* said, that it was not proper to read that.

Mr. *Pearson* said, he would have taken any other piece of writing as soon. His object was, to try the witness's memory.

Witness said, he could not repeat it.

Cross-examined by Mr. Harrison.—He took notes that day; he had not got them now. The expression "indistinctly" applied to others; he heard Mr. Harrison distinctly. He thought the word pig was mentioned to excite contempt of the throne and king.

Re-examined.—Willan, Lewis, Fitton, and Knight, were there; none of them inhabitants of Stockport.

Thomas Bolton (2nd Witness).—He saw numbers of country people come into the town of Stockport on the 28th of July. Those that passed his house were country people. They had no-

thing more than usual. He was at the meeting. He saw a flag at the meeting; on one side was "No Corn Bill," on the other, "Universal Suffrage, and Vote by Ballot." He had seen it first furled, and when Sir Charles arrived, it was lowered. He was first 30 yards from the Hustings, and he then got within 10 yards. He knew the Rev. Mr. Harrison, Willan, Fitton, Knight, and Johnson, whom he saw on the hustings with Sir Charles Wolseley. Harrison at one time stood next to Sir Charles. Both appeared to bear part in a conversation that was going on. Sir Charles on his arrival was received with loud huzzas. The first attention he paid was to Sir Charles: he heard what he said. He made a minute about an hour after, and could state that Sir Charles had said what he had there noted. [He was allowed to read it.] "He was happy in addressing the people of Stockport from Sandy Brow; it was a place consecrated to liberty by the absence of friends he would have been happy to meet there; and he trusted Sandy Brow would be more famed in history than the field of Waterloo. Was there a peace-officer present, he trusted they came to keep the peace, and not to break it. But was there any of your spies, your note-taking or black-book gentry; tell your employers, the tools of a Castlereagh and Sidmouth, that I hate them, that I detest them—that I eternally execrate them. He was proud to say, that he was at the taking of the Bastile in France; he should be happy to be at the taking of a Bastile in England." He saw nothing but the action of speaking with force and energy. "And were all hearts but as firm in the cause as his own, they would soon put an end to the present tyranny and corruption." He heard Mr. Harrison, but took no note of it, and now recollected nothing of it. Before he had gone to the meeting, he saw a man taken to a druggist's shop with his head very considerably broken—blood flowing down his cheeks.

Cross-examined by Mr. Park.—The man had been wounded before Sir Charles came to the meeting. He was a cotton-broker. He felt not the least alarm. At the time the cap of liberty was put on the flag, Sir Charles turned round, and said something he did not

hear. There was a demur. The cap was then hoisted.

John Johnson (3rd Witness), a land-surveyor at Stockport. He was at the meeting before Sir Charles Wolseley appeared. Mr. Harrison was there when he went up. As soon as Sir Charles got on, he began to speak. Sir Charles was appointed to the chair. Sir Charles began to speak immediately. Witness was about six yards from him. Sir Charles said he was the first at the taking of the Bastile in France, and he hoped he should be at the demolition of the Bastile in this country soon, pointing his hand north-west. He said they should be firm and united, for in a few weeks the struggle would be made and ended. The place they stood on was sacred, for there they had defeated their enemies. Sir Charles said a good deal more, which he did not recollect. Mr. Harrison stood next to Sir Charles, and spoke, and said they wanted to get to the throne, in order to see whether there was a pig or a man on it; and if there were 10,000 walls betwixt them, they would blow them up either to heaven or to hell. The expression about the pig, and that of the walls, was received by acclamations. Sir Charles was next to Mr. Harrison while he spoke.

Cross-examined by Mr. Pearson.—The first account of this he gave to George Bullock, about a fortnight ago. He did not remember the order in which the speakers addressed the people. George Bullock was his bed-fellow, and was now a prisoner here for felony.

Thomas Welsh (4th Witness), a clerk to Mr. Harrop, in Manchester, was 20 yards from the hustings, and heard Harrison read a letter. He made a few notes in the evening on his return home: the paper he now held was not the same.

Witness, in answer to the Court, said this paper had been written a month after the meeting.

Mr. Sergeant *Marshall* thought it dangerous to allow this paper.

Witness desired to trust entirely to his recollection; said that Mr. Harrison had read from a letter that the Deity had intended man for happiness, and provided a sufficiency of all good things to make him so; but as the majority of that meeting was extremely

unhappy and miserable, and rendered so by their rulers, the intentions of the Deity had been frustrated, and rebellion against that government became almost a duty. Sir C. Wolseley was not there at the time. He did not recollect any thing further of Mr. Harrison. Sir Charles read the resolutions, and put them to the meeting. One of the resolutions was, that Lord Sidmouth had been guilty of high treason. Another was, that a general meeting of delegates should be held at Oldham, or other places, as might be agreed upon.

Mr. *Pearson* objected to parole evidence of written resolutions. The objection was overruled.

Another resolution was, that a subscription should be entered into to defray the expense of prosecuting his majesty's ministers. The resolutions were put separately. He did not recollect who read them. All the resolutions were agreed to. Sir Charles afterwards said, that he was a most determined friend of the people, and should remain so while there was a drop of blood in his heart; his political career had commenced in France, and he was one of the first who mounted the ramparts at the taking of the Bastile in that country, and he would not shrink from attacking the Bastiles in this country. Willan spoke so low that he could not hear him, and Johnson read a very dull speech. A person in a sailor's dress had mentioned a panic that had taken place, and said such conduct would not do when they met at Oldham: he then said they would soon capsize Commodore Sidmouth and his crew. One of the flags was surmounted with a cap of liberty. Mr. Harrison recapitulated the speeches, and said a deputation from the delegates should present their petition to the throne, and to remove all impediment, for they did not know whether there was a man or pig there. As ministers, Mr. Harrison added, had screened themselves with a bill of indemnity, that this meeting do indemnify the speakers, in case any thing seditious had been said. This was carried with cries of "We do, we do."

Cross-examined.—The meeting dispersed quietly at four o'clock. He felt no alarm.

Re-examined in chief.—He did not think it safe to hold up his hand against

the resolutions. He saw sticks held up, he thought in defiance of the soldiers, an alarm having been occasioned by a report that they were coming.

Edward Shawcroft (5th Witness) was at Stockport on the 28th July, and at the meeting. As soon as he arrived on the ground, Collier, a police officer, was knocked down. They said he was a spy, and they would do all the rest so. [This witness repeated the words ascribed by the former witness to Sir C. Wolseley.]

John Stairvely Barrett (6th Witness), a constable at Stockport, saw Sir C. Wolseley half an hour before he went to the meeting, with Parson Harrison, near the Union-rooms. They appeared to be acquainted. He was at the meeting as a spectator; he was well known to be a constable. There was a cry that the soldiers were coming, and Sir Charles called upon the populace to be firm. They held up the sticks. They were not walking-sticks, but pieces of peeled oak. He heard persons from the parish of Romily, and whom he afterwards saw at the meeting, say in a public-house that they wished the cavalry would come that day, for they were prepared for them; Sir Charles Wolseley was their friend, and many other gentlemen would soon join them. [This witness also repeated the same evidence as to the words charged.]

Cross-examined by Mr. Park.—The Bastile was mentioned a short time before he gave over speaking. [The witness here said, unasked, I saw one man who had a pistol in his pocket.]

Mr. *Harrison*.—How did you know?

Witness.—I saw the handle.

Thomas Cartwright (7th Witness), a mercer and draper in Stockport, saw persons from Ashton come to the meeting with sticks fresh cut from trees. The bark was peeled off, and some had knobs. He was certainly struck with some apprehension and fear. He went then to the meeting. He did not discover a female or a child amongst them, excepting on the outside: he thought the first thing he heard Sir Charles say was, "Three hisses to the prosecutors of Bagueley, Drummond, and Johnson." Three hisses followed. Those persons had attended former meetings there, and were there prosecuted for conspiracy.

Cross-examined.—The weapons were large branches of oak trees, very large

boughs. He saw a great many hundreds.

Mr. *Pearson* proposed to re-examine Barrett, as to some expressions used by him after his examination.

The Court postponed the point.

Ralph Oldham—Is postmaster of Stockport—produces a letter.

Mr. *John Lloyd* looks at the letter, and believes it to be the hand-writing of Sir Charles Wolseley.

[The letter of the 30th of June, from Sir C. Wolseley to the post-master of Stockport, given by Mr. Benyon in his opening, and that from Harrison to Baguley, also given by Mr. Benyon, were read.]

Aaron Collyer—Belongs to the police of Manchester, and was sent to watch the meeting at Stockport. Arrived between 12 and 1 in the day: a great many people were there, and more were coming. Saw the hustings put up. Did not then see Sir C. Wolseley. Does not know Harrison. Was standing rather on the outside of the crowd. Some one said, "that is a Nadin's runner from Manchester." Witness took no notice, and walked on about 10 yards, when he was struck with a stick or something. As he was going away before the blow, he heard some one saying he was come as a spy. Was hit on the head and knocked down; was stunned; and the next thing he remembers is finding himself in a house, and a woman washing him.

Cross-examined.—As he came from Manchester to Stockport did not search any person; did not take notice who said, that is a Nadin's runner. Saw no one upon the hustings.

Here the case for the Prosecution closed.

Mr. *Pearson* said, that it was now his duty to address the jury on behalf of Sir Charles Wolseley, and on behalf of Sir Charles Wolseley only. The question before the jury was not a political question, nor was a political dissertation from him (Mr. Pearson) to be expected. The whole question which it was the duty of the jury to decide, was strictly of a legal, and not at all of a political nature. It had been opened with the greatest candour by his learn-

ed friend, the attorney-general; and, in the course of his opening, that learned gentleman had stated that there were two counts in the indictment; one charging the defendants with assembling unlawfully, for the purpose of disturbing the public peace, and for acts afterwards; and the other charging a conspiracy with the second defendant, Mr. Harrison. The charge of conspiracy, the learned counsel thought, scarce deserved an argument. A conspiracy, forsooth, between two men who had not been proved to have met until a few moments before the time at which their offence was alleged to have been committed! It had appeared, he was free to admit, that some degree of acquaintance had subsisted between Sir Charles Wolseley and Mr. Harrison, previous to the day of the Stockport meeting. And what degree of acquaintance? A witness had sworn that they spoke in the street; but that witness had been unable to speak to the subject of their conversation. Perhaps he might be allowed to allude for a moment to a trial which had recently taken place—a trial, upon which one of the most impartial judges that the country ever produced had for many days presided. That learned judge (Mr. Justice Bayley) had observed, that the defendants were not liable to be found guilty of conspiracy, although they were pursuing the same end, unless the jury were of opinion that they were acting in pursuance of a common design, with the privity of all. That the defendants had pursued the same end, would not be denied; but there was the authority of Mr. Justice Bayley for stating, that the mere fact of pursuing the same end, unaccom-

panied by proof that they had originally laid the same plan, did not, by the law of England, amount to a conspiracy. To prove the existence of such a plan not one tittle of evidence had been given. But his learned friend (Mr. Benyon) had put in a letter which he said would fully prove that fact; and truly a notable letter it was. It was a letter from Sir Charles Wolseley, dated two days after the meeting was over; and it referred to a letter from Mr. Harrison upon some subject or other, which letter, at the time of the meeting, Sir C. Wolseley had not received. The other part of the indictment would depend entirely upon the question whether the meeting of the 28th was a legal or an illegal meeting; and he would refer them at once to the opinion of Mr. Sergeant Hawkins, who had been declared by the same learned judge to whom he had before alluded, to be the best writer upon the subject. The opinion of Mr. Sergeant Hawkins was this—"that any meeting of a number of people under circumstances to create fears and jealousies in the minds of the king's subjects, is an illegal meeting." What then were the resolutions which had been passed at that meeting? He (Mr. Pearson) would venture to declare that even from the partial detail of those resolutions which had been given by the witness for the prosecution, nothing would appear by which his client could be affected. Of reform, whatever might be his opinion, he would here say nothing. It was a legitimate topic of discussion. Universal suffrage certainly seemed of all chimerical projects the most chimerical; but still it was

not unlawful to discuss it. He could not think of wasting their time by remarking upon the absurd evidence that all the people of this great empire were to be assembled at Oldham. That it had been seriously urged for the prosecution was singular in judicial proceedings. It was beyond every thing in real life, beyond every thing in comic fiction. The wildest of wild romances had nothing like it. Say that they were to be delegates who met. He needed not to tell them that that would not be unlawful. Needed he to remind them that a meeting of delegates was held in London, among whom was Dr. Jebb, Sir William Jones, Mr. Pitt, Mr. Fox, the Lennoxes, the Cavendishes, and the Howards? Then there was a subscription proposed for the prosecution of ministers who had violated the law; but to the law, and the law only, they applied. The acts of the last parliament were a distinct admission that meetings of that kind were legal before. It had been laid down by that upright and impartial judge, Mr. Justice Bayley, that if there were 60,000, it was not, therefore, an unlawful assembly. Here there had been none of the circumstances proved to have taken place at the meeting at Manchester. If a constable was hurt, it was before Sir Charles came; even if it were not, how could he be answerable for that more than for a pickpocket who might steal property in the crowd? Sticks for convenience, or even parade, were not unlawful. If they were held up, so were hats. But in no shape were they connected with his client. As to the cap of liberty and the flag, they were aware that at York,

where such things were proved to have existed to a much greater extent, Mr. Hunt was acquitted in every count, similar to what they were trying at present. Perhaps the cap of liberty was a bauble unworthy of the attention of men of sense; but the multitude, men as well as children, valued the symbol more than the thing signified—

“Pleas’d with this bauble still as that before.”

It had been used and abused in France, so had liberty. What sedition was there in hissing the prosecutors of Baguley and others? They had not been tried, and ought to have been supposed innocent. If the meeting was not illegal, the speeches could not make it the meeting described in the indictment. Seditious words might form a substantive crime, but it was not the crime before them. If others used seditious words, Sir Charles Wolseley was answerable only for his own words. Here he felt peculiar difficulty. Sir Charles Wolseley was a person of the highest honour and respectability, and would not separate himself from a fellow-sufferer; but he could not suffer considerations of that kind to influence his conduct as his counsel. Mr. Harrison might deny, or explain, or prove to be an idle joke, the allusion to an illustrious person. Such expressions were improper, disgraceful, indecent, mischievous. But Sir Charles Wolseley was not answerable for every absurd remark made by others. The expression of “a struggle to be made and ended in a few weeks,” if he could not contradict, he might explain to allude to the meeting of parliament, and the bill of reform to be introduced. In conclusion, Mr.

Pearson alluded to the birth, wealth, and domestic happiness of Sir C. Wolseley as indisputable pledges, that he could never entertain a wish to plunge the country into the perils of revolution. He committed that client, his liberty, his happiness, and the happiness of his family, with most entire confidence, into their hands.

Mr. *Harrison* began to address the jury with the utmost composure, and with a violent methodical twang. The first thing he would speak of to them was Mr. Marshall’s charge to the grand jury, as it appeared in the papers. This speech, so elaborate and long, was all directed against him, an humble individual as he was [Here he read a great part of the charge, till he came to the expression that “there were persons destitute of honour, fame, and fortune, who hazarded their lives for desperate purposes.”] The honourable baronet could not have been alluded to as the desperate adventurer, destitute of honour, fame, and fortune. Therefore, he alone had been alluded to, or the observation was irrelevant. If he should fall, it would be by the violence of his prosecutors; “and if I fall,” continued he in a whining tone, “the earth will shake when I fall.” When he had looked at that sham document, the indictment, in which he and Sir Charles Wolseley were bound hand and foot, to be thrown—where?—into hell. The indictment had been so strangely grounded, that he had not known how to plead to it at all. He continued to read with great composure, uttering anathemas from time to time, as particular passages excited his displeasure. “Time and experience have from age to age added

new bulwarks to public liberty." New bulwarks! Were the five new bills that had passed last session new bulwarks to public liberty? "The people have a right to petition for the redress of their grievances; but they must exercise that right in a legal and constitutional manner." And yet, for the exercise of that right it was that he now stood in his present trying predicament. Mark the *but*s! The people have a right, *but* they must not exert it. They may have as many rights as they please, *but* the moment they seek to exercise them they are forfeited. "Pretended reformers!" the word "pretended" hurt him. If they had been cool, and careless, and tame, and indifferent at their meetings, they might have been so designated; but when they had done every thing to prove their zeal; when they had shown that they felt their grievances, and wished to get redress for them; when their exertions in the cause of reform had subjected them to abuse and to punishment, it was too much to say that they were not in earnest. It was too much—he could not abide it. [Here the orator stamped emphatically with his foot. He then wiped his forehead, at leisure, with his pocket-handkerchief, and continued.] He was sure that he had not offended the judge by his remarks; for his lordship had been looking at him with a pleasant countenance all the while. He (Harrison) would tell the jury that he held in his hand a help un hoped for. It was a little book, intituled "Remarks upon the Indictment of Sir C. Wolseley and Mr. Harrison." It was written by Jeremy Bentham, the greatest lawyer in the world. There was also an article in the

Edinburgh Review worthy the attention of the jury. It treated of tumult, the offence of which he (the defendant) was accused. The article was written by another great lawyer, Mr. Brougham. Mr. Brougham there defended tumult; and proved that it was not for the good of the public that tumultuous meetings should be extinguished. He had the opinion of the best lawyer in the world; not paid for—if it were he would not give a farthing for it; a lawyer that was paid would take either side—say any thing for money; but the jury could not find him guilty upon the indictment without violating their oaths. Bentham had proved that. He had observed, however, that juries in that part of the country did not consider sufficiently before they gave their verdicts—that cut him to the heart. Whether the verdict should be "guilty," or "not guilty," he cared but little on his own account; but should say, in either event, the will of the law be done. The defendant spoke four hours in the whole.

Jeremiah Garnett (1st Witness for the Defence), a reporter to *Wheeler's Manchester Chronicle*, attended to report the proceedings; has no doubt 5,000 persons were present. There was one circumstance which alarmed him about the meeting; a person in the employ of Mr. Nadin was knocked down: that was before Sir C. Wolseley came: he felt no other alarm.

Did you hear the words from Sir C. Wolseley, "Unite your strength, for in a few weeks the struggle will be made and ended?"—I did not.

Robert Thomas Hampson (2nd Witness for the Defence),—a reporter for *Wardle's Manchester Observer*. Did not hear Sir C. Wolseley say, that in a few weeks the struggle would be made and ended: should probably have heard it, if it had been said.

Cross-examined.—Remembered Harrison saying it was as foolish to petition the House of Commons, as if a

master were to go down upon his knees to intreat his menial servant to do that duty for which he is engaged and paid. Thinks Harrison said something like—"to petition them as they are, is absolute folly." Harrison said, "it is a grand principle that a whole nation cannot err; and if there be a thousand walls between us and our prince, we will blow them down either to heaven or hell:" these were not the precise words, but that was the substance. Harrison said, "and let us see what sort of an animal sits upon the throne." When Harrison said this, Sir Charles Wolseley was four or five yards from him. After this, Sir C. Wolseley spoke.

Did he say any thing about the Bastile?—He said that he had assisted in taking the Bastile: he said he would not desist from his exertions in the cause of the people; and there was something like English Bastiles, which I do not remember.

James Swindells (3rd Witness for the Defence), was at the Stockport meeting; felt no alarm.

SECOND DAY.

Mr. *Benyon*, in reply, would entreat for a very short time only the attention of the jury. An attempt had been made by the learned counsel on the other side to show that the meeting of the 28th June had not been illegal, because it had neither been stated upon the record nor proved as a fact, that the meeting had been to the terror of the people. In support of that position, Mr. Pearson had cited the authorities of Hale and of Hawkins; but it was the duty of the jury to look only to the facts; and if there had been any illegality or informality in the count, that judgment which would follow a verdict of guilty, would, in due course, be arrested in the court above. Now, what had the fact been? It was not because three or four men of strong nerves had told the Court that they had felt no terror that the jury were to conclude that there had been

no cause for terror. The learned gentleman then read several parts of the evidence, and contended that the allusion to the sovereign was clearly seditious; and the import was, to bring the government into contempt. Sir Charles Wolseley, by standing silent next to Mr. Harrison, was equally guilty of sedition in point of law, sense, and fact. But Sir Charles Wolseley uttered seditious expressions in comparing Sandybrow to the famed field of Waterloo, and talking of destroying bastiles in England. The conspiracy took place at the meeting, and that a previous conspiracy was not necessary had been ruled by his lordship (Mr. Sergeant Marshall), with the assistance of an able lawyer, his majesty's present solicitor-general, in the case of Bagueley and Drummond. His learned friend, Mr. Park, seemed to dissent from this application of Bagueley's case; but he would refer to the recollection of his lordship.

Mr. Sergeant *Marshall* said his recollection corresponded.

Mr. *Park* said, that, in that case he had been concerned for the prosecution; and he remembered that evidence had been given of the parties having previously been seen together; of their having met at an assembly at Oldham, and at the blanket meeting at Manchester, at which meetings they had concurred in acts similar to those with which they then stood charged.

Mr. Sergeant *Marshall*.—If I remember right, the point made by the defendant was, that there had been no evidence given to show a previous conspiracy; but the Court was of opinion, that the moment they began to act together, there was a conspiracy.

Mr. Sergeant Cross.—That is to say, my lord, in other words, that there may be an open, as well as a concealed conspiracy.

The *Chief-Justice* then commenced his charge to the jury.—The first count upon the indictment, his lordship said, consisted of two points: the one charging the unlawful assemblage, and the other the unlawful assemblage, followed by the seditious speeches. The second count charged conspiracy between the defendants. He would state (his lordship continued) to the jury, a definition of the term “unlawful assembly.” Mr. Sergeant Hawkins had said, that any meeting of great numbers of people, with such circumstances of terror as could not but endanger the public peace, and raise fears and jealousies among the king’s subjects, would properly be called an unlawful assembly. This was the position of Mr. Sergeant Hawkins, which he had illustrated thus: as when great numbers of people, complaining of some grievance, meet in a warlike manner to consult together upon the most proper means of redressing them, because no one can foresee what may be the event of such an assembly. His lordship would call the attention of the jury particularly to those words, because no one can foresee what may be the event of such an assembly; and he would request them to bear in mind, that such was the reason given by the author why those meetings were dangerous to society. From Mr. Harrison’s expression that it was as absurd to petition the House of Commons as for a gentleman to petition his groom for his horse, it was manifest that the object was not to petition parliament or

to obtain a reform by legitimate means. After reading Welsh’s evidence respecting the allusion to the Bastile, he left it to them to judge whether the only meaning that could be put upon the words, in justice and fairness to the defendant, was not the meaning put upon them by the attorney-general. Sir Charles Wolseley said, that if all their hearts were as firm as his, they would soon put an end to the present tyranny and corruption. Did these words require explanation? If sedition were to be illustrated by the strongest instances, could a more forcible instance be found? This was addressed to a multitude of 5,000 from different parts, armed with sticks, peeled, cut from trees, and having large knobs. This evidence was entirely uncontradicted. The Chief-Justice proceeded to read the evidence of the expression, “that in a few weeks the great struggle would be made.” What great struggle? He left it to them to consider who the parties were whom Sir Charles thought would be engaged in this struggle. From a former part of the speech, where Sir Charles Wolseley had talked of putting down tyranny and corruption, it was clear that the struggle was to be with tyranny and corruption. Who were the tyrants and corrupt? They had heard of a barrier to be removed, in order to see whether the throne was filled by a pig or a man; and they now found Sir Charles Wolseley exciting 5,000 persons to be as firm of heart as he. The struggle then was to be made by these 5,000, and others who would join. The place was sacred ground, sanctified by Bagueley, Johnson, and Drummond! His lordship then

read the evidence, as to the words used by Harrison, "that there were ten thousand walls between the throne and the people, and they should all be blown up to heaven or to hell." This speech had been received with acclamations! His lordship then proceeded to observe upon the resolutions of the meeting. It had been resolved that Lord Sidmouth was guilty of high treason. Lord Sidmouth was holding a high and responsible situation in the country; and it had been stated to 5,000 men, with sticks in their hands, that Lord Sidmouth was guilty of high treason; and that statement had been received with shouts of applause. These resolutions had been read upon the hustings in the presence of Sir C. Wolseley and of Mr. Harrison; and had been put by Sir Charles Wolseley himself—the leading person in the transaction. A sailor had then spoken, and that man had said, that there had been a panic at Manchester; but that that would not do at Oldham. Those words were mysterious; the learned judge did not understand what was meant by them. The last resolution had been—and it was worthy the attention of the jury,—that, as ministers had obtained bills of indemnity to cover their acts, so the meeting should indemnify the speakers if any thing seditious had been spoken. John Barrett had said in his evidence, "When they heard that the military were coming, Sir Charles Wolseley called to the people to stand firm." So then he looked upon himself in the character of leader of the meeting. "They wished the cavalry would come; they were prepared for them." Prepared for what? To oppose them of

course. How prepared? With the large sticks. His lordship proceeded to the evidence of Thomas Cartwright. "Sir C. Wolseley called for three hisses for the prosecutors of Bagueley, Johnson, and Drummond:" these men were then lying in prison for the offences they had committed, and Sir Charles Wolseley called upon 5,000 men, with bludgeons in their hands, to give three hisses for their prosecutors. His lordship then went minutely through the rest of the evidence. If they thought that, in pursuance of a connected scheme, the defendants acted and spoke, and that the tendency of their conduct was, to stir up to hatred and contempt of the government, and that speeches had been made by them with that intent, then they would find them guilty of the two charges in the second count. If they thought them guilty of all the charges in the two counts, they would find a general verdict of guilty.

The Jury consulted for about two minutes, when they desired to retire. The indictment was handed to them. They retired at one o'clock, and returned in three quarters of an hour with a verdict of Guilty against Sir Charles Wolseley and Joseph Harrison. The court was very crowded, and all seemed to feel the greatest interest, but no expression of feeling accompanied the verdict.

[For the judgment passed upon the defendants by the Court of King's-bench, see Chronicle, page 148.]

The Trials of Arthur Thistlewood, James Ings, John Thomas Brunt, Richard Tidd, William Davidson, and others for High

Treason, at the Sessions House in the Old Bailey, on Monday the 17th, Tuesday the 18th, Wednesday the 19th, Friday the 21st, Saturday the 22nd, Monday the 24th, Tuesday the 25th, Wednesday the 26th, Thursday the 27th, and Friday the 28th day of April, 1820.

On the 8th of March, a special commission of Oyer and Terminer was issued under the Great Seal, directed to the lord chief justice Abbot; the lord chief justice of the Common Pleas, Dallas; the lord chief baron Richards; Mr. Justice Richardson; Mr. Baron Garrow; the Recorder and Common Sergeant; and others the king's justices: for the purpose of hearing and inquiring into the offences therein named, viz.

1. All high-treasons, except such as relate to the coin.

2. All misprisions of treason.

3. The murder of Richard Smithers.

4. All offences against the persons of Frederick Fitz-Clarence, William Legg, James Ellis, John Surman, William Westcott, William Charles Brook, John Muddock, and Benjamin Gill, contrary to the statute 43, Geo. III, c. 58, "for the prevention of maliciously shooting," &c.

On Monday the 27th of March, the commission was opened at the Sessions House, Clerkenwell-green, by the lord chief justice Abbot, and the lord chief justice of the Common Pleas; when a Grand Jury was sworn, who, on the following day, returned true bills of indictment against Arthur Thistlewood, William Davidson, James Ings, John Thomas Brunt, Richard Tidd, James William Wilson, John Harrison, Richard Bradburn, John Shaw

Strange, James Gilchrist, and Charles Cooper, for high-treason. On the 29th, other bills were found for the murder and felony [for which, see Chronicle, p. 88].

On the 3rd of April, copies of the indictment for high-treason were delivered to the respective prisoners [for the substance of the indictment, see Chronicle, page 92].

On the 15th of April the court re-assembled at the Sessions House in the Old Bailey.

Present,—The lord chief justice Abbot.

The lord chief justice of the Common Pleas, Dallas.

The lord chief baron Richards.

Mr. Justice Richardson.

The Common-Sergeant, and other the king's justices.

The prisoners were severally arraigned upon the indictment for high-treason: they all pleaded *Not Guilty*, in the usual form, except Wilson, who pleaded a *misnomer* in abatement. Ings, when asked by the officer "How will you be tried?" at first replied, "by the laws of reason," but he was afterwards persuaded to put himself on his trial in the usual terms. The prisoners against whom other indictments had been found, were then arraigned upon their respective indictments, and Messrs. Curwood and Adolphus having been assigned of counsel for Thistlewood, Davidson, Ings, Brunt, Tidd, and Wilson; and Messrs. Walford and Broderick for the others, the Court adjourned to Monday April the 17th, when Arthur Thistlewood was put upon his trial.

At eight o'clock the arrival of the jurymen, who had been summoned, created considerable bustle, and this was greatly enhanced by the pressure of other

persons for admission to the court. Regulations were adopted to prevent the entrance of those who were not provided with tickets. This was the more necessary, as from the limited nature of the court, but a small portion of the public could obtain accommodation. The jury alone, who stood in the body of the court, were upwards of 200 in number. Certain boxes were devoted to the reception of ladies, a great number of whom were present.

The witnesses for the crown were divided into two parties. The more respectable were placed in the Grand Jury-room, and those of an humbler class remained in a contiguous apartment.

At nine o'clock the lord chief justice Abbot, the lord chief justice Dallas, the Lord Chief Baron, Mr. Justice Richardson, the Common Sergeant, and the other commissioners entered the court, which was opened in the usual form.

Mr. *Shelton* immediately proceeded to call over the names of the jurymen summoned. Some of the gentlemen were excused from attendance, on the ground of ill-health. While this form was going through, the prisoner Thistlewood was put to the bar. He came forward with apparent firmness. He had in his hand a pencil and a sheet of paper.

The counsel for the crown in attendance were, the attorney-general, the solicitor-general, Mr. Gurney, Mr. Bolland, and Mr. Littledale.

While the Court was occupied in attending to the list of the jury, a man placed his hat on the board in front of the dock. Thistlewood immediately took from

the hat five oranges, which he put in his pocket. The oranges were taken from him by the gaoler, from an apprehension that they might contain poison, but he was informed that he should be provided with any thing in the way of refreshment which he might require.

At 12 o'clock the whole of the jury had been called over.

Thistlewood then addressed the Court, and said, "Will your lordship allow me a chair?"

A chair was placed at the front of the dock, and the prisoner sat down.

A jury being sworn, after numerous challenges, both on the part of the prisoner, and on that of the crown,

The Lord Chief Justice observed,—“As there are several persons charged with the offence of high-treason by this indictment, whose trials are likely to be taken one after the other, I think it necessary, in furtherance of justice, strictly to prohibit the publication of the proceedings of this or any other trial, until the whole of the trials shall be brought to a conclusion. It is highly necessary to the purposes of justice, that the public mind, or the minds of those who are hereafter to serve as jurymen, should not be influenced by the publication of any of the proceedings which may take place, until the whole of those proceedings shall be finished. We hope all persons will observe this injunction.”

The indictment was opened by Mr. Bolland:

And the *Attorney General* stated the case for the crown.

“May it please your Lordship; Gentlemen of the Jury; The

charges in this indictment, though four in number, will all be proved to you by the same evidence; and if the evidence I shall lay before you be sufficient to establish one of them, it will, I believe, completely establish the whole. Three of the offences charged consist in compassing and imagining the deposition of the king from his throne; the death of the king; and a conspiracy to levy war, in order to compel him to change his measures for the government of the kingdom. In this case it is quite sufficient to show you, in the first instance, that the plans of the prisoner at the bar and his accomplices, were of that description, and of that nature that they were aimed against the government, as they will undoubtedly be proved to have been in this case. Although they were not directly aimed in the first instance against the personal safety and personal authority of the sovereign, still, if the consequences of their acts led to that result, they involved, in point of law, the treason charged in the indictment.

“Gentlemen; having said thus much, I will, without further preface, call your attention, as perspicuously and as shortly as I can, to the facts which will be proved in evidence to support the charges. The prisoner at the bar had for some time conceived the wicked and nefarious plan of overturning the government so long established in this country; and it will appear to you that several, nay, all of the persons mentioned in the indictment, were participators in the same design; some of them probably coming into that purpose and design at a later period than others, but all of them concurring

in the last criminal event which led to their detection. [The learned attorney-general here detailed the proofs of a treasonable conspiracy, which he proposed to adduce against the prisoner, which differed little from the statements subsequently made by the witnesses for the crown]. It may, gentlemen (continued the attorney-general) be urged in a general sense, that such schemes and such plans as the facts I have related to you disclose, ought scarcely to be credited in a court of justice; or they may be ascribed to the circumstance of heated men with heated passions, conceiving and proposing the adoption of plans, wild and visionary, and in fact, wholly impracticable. In this case, however, such a principle did not exist; for here were long-laid regular plans, extensive schemes, and the most abundant preparations, to effect a wicked purpose. And will not desperate and designing men, infuriated by their passions, either influence others to the accomplishment of such plans, or be worked upon by them themselves.

Gentlemen, it is not your duty to consider whether the schemes in question were wild and visionary, but whether they had for their object an illegal or wicked purpose; and if illegal, and that towards the execution of their plans they took but one step, they have then done that which renders them amenable to the offended laws of their country. But you will also be told that accomplices are not to be believed on their oath in a court of justice. But it is not the law of England, alone, that receives the evidence of an accomplice. It is the law of reason also, and has

been the law of all ages and nations. You should weigh his story well, and see whether it be confirmed by the more indifferent witnesses. Not confirmed in every part, for then his evidence would not be required at all; but in certain collateral parts which may be found to correspond with the other testimony. If therefore, gentlemen, an accomplice is produced before you, and you believe a part of what he relates, you are bound in a great measure to believe that the whole of what he tells you is true. No man, or set of men, who had ever conceived such plans as I have laid before you, could have so conceived them without an intention of pursuing them. The plans of these men, at least for some time, could be known only to themselves and to their God. The more heinous the crime, the more studious of secrecy will the criminals always be; and if you establish the principle that guilt is not to be exposed, and punished by the evidence of those who have participated in it, you will spread an immunity over crimes, secure, and inviolable in proportion to the enormity of their wickedness. But I assure you the case does not rest upon the testimony of Adams, Hiden, and Dwyer, the accomplices; but there are facts which I fear the prisoner will not be able to answer. Why, I would ask, were these men assembled in Cato-street and why at night? There were none of them related to each other, yet they were all armed with deadly weapons, and found in close deliberation in an obscure stable. There were also found there a quantity of destructive grenades and fire-balls, together with a large por-

tion of ammunition. But this is not all. At the houses of two others of the conspirators, namely, Brunt and Tidd, there were found similar articles of destruction, particularly ammunition. The weight found of the latter, gentlemen, amounted to between eleven and twelve hundred pounds; and I would ask, in the name of God, what object could these men have had in the possession of such a quantity of ammunition? Surely it could not even be for individual murder! No, gentlemen, it was the destruction of his majesty's ministers in the first place, the burning and levelling of public barracks and edifices in the next, and finally, the establishment of a revolution, and the appointment of a provisional government. What was the conduct of the prisoners when they were discovered in Cato-street? I want not, gentlemen, by a repetition of this term, to inflame your minds; but it will be extremely important for you to remember, that when the officers entered the loft there, and said, 'We are officers,' they submitted not to their authority, but resisted them even in the most ferocious manner, and one officer, as you have before heard, unfortunately lost his life. What became of the prisoner on the 23rd, the intended night of blood and slaughter? Why, he flies from the desperate scene, not to his own home, but to an obscure place of concealment. Such then, gentlemen, are the facts of this momentous case; and once more I ask you, what possible conclusion can you draw from such facts, if they be supported in evidence? Commiseration (if I may use the term) towards a prisoner, I never should withhold; and God forbid,

gentlemen, that you should not give to the man at the bar the advantage of every, even the slightest, circumstances of doubt which may arise in his favour. If these doubts also should predominate, it will be your duty to acquit the prisoner; but if, on the other hand, the facts which I laid before you be substantiated, and you feel in your consciences that the charge is made out, it will then become your painful but bounden duty to convict him.

On the motion of Mr. Gurney all the other prisoners were ordered to be brought into court, and to remain in the dock, in order that their persons might be spoken to.

EVIDENCE FOR THE CROWN.

Robert Adams (1st Witness), examined by the Solicitor-general.—I live in Hole-in-the-Wall-passage, Brook's-market; I am a shoemaker. I was in the royal regiment of horse-guards. I left that service 18 years since. I know the prisoner Brunt. I knew him at Cambray, in France, in 1816; he went then by the name of Thomas Morton. I know the prisoner Thistlewood—I first knew him on the 13th of January last;—I saw him at his own lodgings in Stanhope-street, Clare-market; I was introduced to him by Brunt and Ings; Thistlewood said to me, you were once in the life-guards? I said no, I originally belonged to the "Blues." He then said, you are a good swordsman? I said I could use a sword to defend myself, but I was not so good at it as heretofore, not having used a sword or other arms for some time back. On this he said—there was no person that was worth ten pounds that was worth any thing for the good of his country. As for the shopkeepers of London, they were a set of aristocrats together, and were all working under one system of government; he should glory to see the day that all the shops were shut up and well plundered. His discourse then turned to Mr. Hunt—he said that Mr. Hunt was a coward, and no

friend to the people, and he had no doubt if he (Thistlewood) was to get into Whitehall, he would find his name on the books as a spy to government. He then turned to Mr. Cobbett, and said that he and his writings were no good to the country, and he had no doubt he was a spy as well as Hunt. I was afterwards confined in Whitecross-street prison for debt, previous to which several interviews took place between us. The next interview was on the 16th, at the White Hart public-house, in Brooks'-market; Ings, Brunt, Hall, and Tidd were present—we met in a room in the back yard. On the 17th I went to prison—I remained there 14 days; I came out on Sunday, the day after the death of the King. After I came out, I saw Thistlewood on the next evening in a back room on the same floor of a house in which Brunt lived, in Fox-court, Gray's Inn-lane; Brunt, Ings, Hall, and Davidson were present; nothing particular took place on that night. I met them again on the Wednesday evening. Thistlewood, Brunt, Davidson, Harrison, and Edwards were present.

Mr. Curwood objected to this evidence. There was, he said, no direction in the indictment to this meeting more specific than the words "divers other times and places," which he held to be insufficient to let in this evidence.

The Chief Justice over-ruled the objection. The practice, he said, was, to admit such evidence, under this general description, in order to avoid the endless prolixity, which more specific description would introduce into indictments.

Witness, in continuation. On this occasion I saw a number of pike-staves, which Thistlewood wanted to have ferruled. Thistlewood expressed his surprise that Bradburn (one of the prisoners) had not done it. The staves were quite green, as if they had been just cut from the cover. Thistlewood then accused Bradburn of having spent the money. These meetings were held twice a-day, from the time I came out of prison to the 23rd of February. Brunt had hired the room in which they met for Ings—there was no furniture. I recollect at one of these meetings I went up to the room; Thistlewood and Harrison were sitting at the fire. Harrison said, he had met a Life-

guardsman, who told him that the Life-guards and as many of the Foot-guards as could be spared, would be at the funeral of the king at Windsor. He then added, that he thought this would be a favourable opportunity to kick up a row, and see what could be done. Thistlewood said yes; and remarked, that provided they could take the two pieces of cannon in Gray's-inn lane, and the six pieces in the Artillery-ground, they would have the means of getting London in their possession before morning. And even if the Guards were to come back, they would be so tired, that they could not do any thing. By perseverance, if they got the cannon, they might go to Hyde-park, and prevent any orderly from having any communication with Windsor. He said, it would be also necessary to go to the telegraph over the water, to prevent any communication with Woolwich. By this time they should be able to establish a provisional government, and would have an opportunity of sending to the seaports to prevent any gentleman leaving this country without a passport from this provisional government. He mentioned Dover, Deal, and Margate, and especially Brighton; not that he thought the new king would be there, or even at the funeral of his father, he was so ill. He added, that the present family had inherited the crown long enough; it was no use, therefore, for the new king to think of wearing the crown any longer. Brunt and Ings came in after this discourse. Thistlewood communicated to them what had been said, but both of them declared that nothing short of the assassination of ministers would satisfy them.—Brunt told me, that two or three of them had drawn out a plan to assassinate ministers at the first cabinet dinner they had. The parties never scarcely met, but what that was the subject of their conversation. On the 19th of February I went again to the room in Fox-court; Thistlewood, Davidson, Harrison, Ings, Brunt, and Hall were there. When I went in, they all got up and said—"Well, it is agreed; we have come to the determination, if nothing takes place between this and next Wednesday night, we will go to work." It was said—they were all so poor, they could not wait any longer. Thistle-

wood said to Brunt, you had better go round this afternoon, and see what men you can bring forward to attend the committee. Brunt said, he had some work to finish, but that he could get up in the morning and get a few, as it was not necessary to bring a great many. Thistlewood said, it would be prudent in those who came in the morning to bring arms with them, in case any officer should come up. Brunt said with an oath, if any officer came up, he would run him through. On the next morning I went at 11 o'clock—it was so dark, from a heavy fall of snow, that I did not at first see who was there;—but after some time I saw Thistlewood, Davidson, Tidd, Cook, Hall, Bradburn, Edwards, Harrison, and Wilson; Tidd took the chair, with a pike in his hand. Thistlewood said, Gentlemen, I presume you all know what you are met for, and turning to the door, he said, the west-end job. Thistlewood then said, we are all of us tired of waiting for this job, if we do not find them altogether between this and Wednesday night, we are come to a determination to take them separately at their own houses. I suppose, continued he, we can take as much as 40 or 50 men to do the west-end job—and I propose at the same time, that the two pieces of cannon in Gray's-inn-lane, and the six pieces of cannon in the Artillery-ground shall be taken. He then called upon Cook to command at the taking of the six pieces of cannon at the Artillery-ground. After these were taken, he proposed that the Mansion-house should be taken, as a seat for the provisional government; then they were to make a descent on the Bank of England—and he proposed that Palin should be the man to set fire to the different buildings in the different parts of London. Brunt proposed, that as many of the ministers as they could assassinate, should be assassinated on Wednesday, at all events, and that the men who were willing to undertake the job should be divided in lots. A man was to be drawn for the sole purpose of assassinating the party they went to; and whoever that fell upon, that man should be bound to do it, or be murdered himself; should he fail in doing of it, he swore by all that was good that man should be run through upon the spot." Upon this I said to Mr.

Brunt, "Do you mean to say, that a man may not fail in undertaking such a thing—and do you mean to say, that a man in so failing shall be run through upon the spot himself?" He said, "No, unless there was the least sign of fear." Mr. Brunt's motion was then put from the chair, and agreed to: some others came in, and were apprized of the resolution. Palen got up and said, "You talk of taking from forty to fifty men to the west-end job; I should like to know, then, where you are to find the men to take the cannon; but you may know more on the subject than I do. I want to know also," said he, "in calling upon the men I intend to go to, if I can tell them in fact what is to be done?" The chairman replied, "That no doubt Mr. Palen knew the men he had to depend upon:" They were then going to separate, when Mr. Thistlewood said, "Brunt, take Mr. Palen to the place hard by, and see whether he could set fire to Furnival's-Inn." Palen and Brunt soon returned, saying, "It was very easy done, and would make a good fire." Thistlewood said, "He thought it was highly necessary to give the men a treat." Brunt said, with an oath, although poor, he had a pound note, which he would apply to that purpose. The White Hart was proposed and objected to, in consequence of something which had been said of that place; but it was finally agreed they should be brought to Brunt's room, who was to send his son and apprentice out of the way. Thistlewood's room was mentioned, but he objected, as an officer lived nearly opposite to him.

On Monday I went again to the room about ten A. M. Thistlewood, Brunt, Harrison, Hall, Ings, and others were present. I said, I had something to communicate, and told them that Hobbs, the landlord of the White Hart, had told me that two officers had called from Bow-street and Hatton-garden, and asked, "whether a radical meeting did not take place there?" The officers said, "They had information that there was, and that there was similar information given at lord Sidmouth's office." Harrison on this, said to me like a bulldog, "Adams, you have done wrong." Brunt also said, like a lion, I had done wrong, for if I had any thing to com-

municate, I ought to have communicated it to them alone. I said what concerned all, ought to be communicated to all. Potter and I went to the White Hart, where Palen and Bradburn came to us. I went again the next morning; Brunt, Ings, Hall, Davidson, Harrison, Wilson, Palen, Potter, and Bradburn were there. Edwards came in, and told Thistlewood there was to be a cabinet dinner next night. Thistlewood doubted it, and a newspaper was sent for; it contained an account that there was to be a cabinet dinner at lord Harrowby's, in Grosvenor-square, on Wednesday evening. On this Brunt said, "I'll be damned if I don't believe now that there is a God; I have often prayed that these thieves might be collected together, in order to give us a good opportunity to destroy them, and now God has answered my prayer." I was put in the chair, and Thistlewood proposed to form a fresh plan. I called to their recollection what Hobbs had said to me the day before. On this Harrison swore, that the first man that said a word to throw cold water on the concern, he would run that man through with his sword. (They were all in the greatest confusion). I was put out of the chair, and Tidd was put in. Thistlewood wanted to proceed in the business, when Palen said, he wanted to be satisfied as to what had fallen from me on the previous morning. On this, in the end, Brunt moved, that a watch should be set on the earl of Harrowby's that night, to see if any men or soldiers went into the house, in order to way-lay any body that might go there. That was approved of: two were to go on at six and remain till nine, and to be regularly relieved every two hours. Thistlewood then came forward and said, he hoped every one would be satisfied if no officers or soldiers went into the house; and that they would do what they thought of the next evening. He then said, "That as there had not been a dinner so long, there would no doubt be fourteen or sixteen there, and it would be a rare haul to murder them altogether." He afterwards proposed that one should go with a note to present to the earl of Harrowby, and when the door was open, the other men to rush in and seize the servants, and threaten them

with death if they stirred. This being done, men were to take the command of different parts of the house, to prevent the escape of the servants, and if they attempted to stir, to throw a lighted hand-grenade among them. Two men were also to be placed at the area for the same purpose. At the same time the men who were to do the assassination, were to rush into the room in which the cabinet ministers were, and to murder them all, good and bad: if there were any good ones, they were to be murdered for keeping bad company. Ings offered to enter the room first, with a brace of pistols, a cutlass, and a knife in his pocket, and with a determination to cut off every head there, and to bring away lord Castlereagh's and lord Sidmouth's heads in a bag which he was to have for the purpose. He said he would say on entering the room, "Well, my lords, I have got as good men here as the Manchester Yeomanry! enter citizens, and do your duty!"

Upon this word of command from Ings, two swordsmen, followed by others with pikes and pistols, were to come in and to fall to work murdering as fast as they could. Harrison was one swordsman, and I was the other. Harrison had been in the Life-guards. Seeing my life was in danger, I agreed to it. After the execution had been done, Harrison and Wilson were to go to the King-street cavalry barracks, and to take a fire ball to fling into the straw shed. The rest of the party were to proceed to Gray's-inn-lane, to the City Light Horse barracks, to meet the men who were to take the cannon, to assist them. They were to proceed from thence to the Artillery-ground, to assist Mr. Cooke in taking the six cannon. The cannon were to be loaded, to be fired on any person who might be disposed to resist. If Cooke was able to take the cannon himself, he was to proceed to the Mansion-house, and to plant three of them on each side of that building. He was then to demand possession of the Mansion-house, and if it was refused, he was to fire at it. The Mansion-house was to be the seat of the provisional government. An attack was to be made on the Bank. The funds were to be removed, but the books

were not to be destroyed, as they would enable them to see further into the villany practised on the country for years past. Harrison proposed that there should be a countersign, one man was to say "but" and the other "ton," which was "button." In the afternoon I went to the house again, and found Edwards making a fuse for the grenades. Ings was making the illumination balls, with rope-yarn and tar; Hall was assisting. I called again the same evening, and saw two strange men, one of whom was Harris. Brunt and Thistlewood was there. Davidson went on watch at lord Harrowby's, at six o'clock. I and Brunt afterwards went. When we got to the square, I saw Davidson and another man whom I did not know. Before we went into the square, Brunt and I had some bread and cheese at a public house. Brunt played dominoes with a young man. We went off the watch at 12 o'clock. On the next day, I went again between 2 and 3; Brunt was in his own room, and while I was there Strange came in. A few minutes after, two strangers came in. I turned my head, and saw some pistols in a drawer. Strange and the men that came in tried the flints. Brunt then invited them into the back room. On going there I saw several swords, a blunderbuss, several pistols, and other arms; the strangers began putting flints into the pistols. They had not been long there before Thistlewood, Ings, and Hall came in; Thistlewood looked round, and said, "My lads, this looks like something; this looks as if something is going to be done. Brunt sent out for some beer and spirits. When the spirits came, Thistlewood wanted some paper to write some bills, and gave a shilling to buy it: some cartridge paper was brought, and a chair and table for Thistlewood to write on. Three bills were written by him and read. The first was:—

"Your tyrants are destroyed. The friends of liberty are called upon to come forward. The provisional government is now sitting."

"JAMES INGS, Secretary.

"February 23, 1820."

There were three of these written; they were to be stuck on the houses which were on fire. When Thistlewood wrote the last of these bills, he was very much agitated; his hand

shook greatly. He then proposed that Hall should take the pen, but Hall objected. A stranger afterwards took the pen, and sat down to write. Thistlewood dictated to him.

Solicitor-General.—Will you tell us what was dictated?

Witness.—I will tell you what I saw written.

Mr. Curwood objected to this course of examination.

The Solicitor-General.—We have given notice to all the prisoners to produce these papers.

Mr. Adolphus.—I admit the notice, but we have no papers to produce.

Witness in continuation.—The paper was not completed, because they could not agree upon the terms. Thistlewood said he had given orders to have the bills prepared a fortnight before, but they had not been done.

Mr. Adolphus objected to any question being asked as to the contents of this paper; the paper itself should be produced.

The Lord Chief Justice.—In whose hands did you last see the paper?

Witness.—In the hands of the man that wrote it.

The Lord Chief Justice.—Mr. Solicitor-general, we entertain some doubt.

Solicitor-General.—Then, my lords, I shall not press the question.

Witness went on.—While these bills were writing, Ings was preparing himself in the manner in which he was to enter the house of earl Harrowby. He put on a black belt round his waist and another over his shoulders; he also put on two bags like haversacks, and then pistols in his belts—he afterwards looked at himself, and said, “D—n my eyes, I am not complete now; I’ve forgot my steel.” He then took out a large knife, and brandished it about, as if he were cutting off heads: he then swore, that he would bring away two heads in his bags, and one of lord Castlereagh’s hands, which he would cure (salt), as it might be thought a good deal of hereafter. He repeatedly made use of these expressions. The knife was 12 inches long, with a rough handle, round which there was some wax-end to prevent it from slipping in the hand. The other men were equally busy in equipping themselves. Palin came in about half-past five. This-

tlewood and Brunt having left the room for a short time, Palin addressed those who were present, and said, “Gentlemen, are you all aware of what you are going to do? you ought to think whether the assassination of ministers will be countenanced by your country. And you ought to come to a resolution that the man who flinches ought to be run through upon the spot.” He was going on, when a tall man said, you speak as if we all knew what you are about. I should like to know what it is. This man was a stranger. He said to Palin, if we turn out to serve our country, I am not the man that will be afraid of myself. Brunt came back, and was told that some of those present wished to know what they were going about? Brunt replied, that they should go along with him to the room in Edgeware-road, and they should hear all. Brunt then said, all that came with him should have something to drink. The tall stranger said he hoped he was not going to encourage drunkenness. It was agreed to go in parties of two. There was a cupboard in Brunt’s room, which was used to hold swords, hand-grenades, and flannel bags for the cartridges for the cannons. But the dépôt was at Tidd’s, next room to myself. When we set off, I had a blunderbuss under my great coat, and Brunt had a broom stick, prepared to receive a bayonet; this he also gave me to carry. At the dépôt were some pikes, made out of old files, or bayonets. Brunt went back, but I afterwards met him, and he took me along the Edgeware-road till we met Thistlewood. We then went to a stable in Cato-street. As I was going under the archway, I saw Thistlewood and Brunt go into the stable. Harrison came up, and said, “Go in.” When I entered I saw Davidson and Wilson, apparently doing something with a pike. I went up the ladder, and in the loft found Thistlewood, Brunt, Hall, Bradburn, Strange, Cooper, the tall man I have already alluded to, and several others. In the end there were 18 in the room and two down stairs. There was a bench in the loft, on which there were arms of different descriptions. There was one candle, there was also a chest in the room; when I first went in, they were all handling the arms; Tidd did not come for twenty minutes after; Thistle-

wood went out for some time, but on his coming back I heard Tidd talking. I went down, and found Thistlewood, Brunt, Davidson, Harrison, and Wilson in the stable. When they perceived me, they said in a fluster, what good news they had got, for all the carriages were assembling in the square—when I went up again, I saw Thistlewood and Brunt together much agitated; they were talking something about Tidd, when Thistlewood uttered an exclamation that “he would hang himself if he thought any more about it.” Brunt said he would lay his life that Tidd would come, and he did come in a few minutes. Thistlewood then said, I hope you will not give up what you have determined on; it will be another Despard job if you do. He then counted the men, and said there was quite sufficient. Fourteen men could go into the room. Thistlewood said that they were quite enough, even if lord Harrowby had sixteen servants. Immediately after I heard a noise below, and somebody said, “Holloa, hold a light.” Thistlewood took the candle to see who it was, and turning round, he looked quite confused. At this time the officers entered the room. Two stood in front. One of the officers had a small pistol in his hand, and said, “Here’s a pretty nest of you.” The officer also said, “We have got a warrant to apprehend you all, and hope you’ll go peaceably.” At this instant, one of the officers behind said, “Make way, and let me come forward.” The two officers above made way, and the man came forward, and at that moment a group that had got into a little room of the loft, advanced forward, when I saw an arm come forward, and another arm follow it with a pistol. I saw the officer fall, and heard a pistol discharged, upon which the candle was put out; I went down the ladder, and got away; I went home, and was apprehended on the Friday following; I have been in custody ever since. The witness now identified Thistlewood, Davidson, Wilson, Brunt, Ings, Cooper, Harrison and Tidd. He did not know Strange, Bradburn, or Gilchrist by name, though he knew them by sight.

Cross-examined by Mr. Curwood.—I did not go with the full intention of assassinating his majesty’s ministers; my inward intention was entirely

against the plan; I had attended at many meetings; I continued to attend from fear, in consequence of the threats held out by Brunt; I was never treasurer to a benefit society; I went to France to follow my trade; I carried between 30% and 40% with me; I was never charged with taking money away; I was selected for my adroitness with a sword. I told all I knew on the Saturday after I was apprehended; not upon an understanding that I was to become an evidence. The reason for my telling all I knew was, that my conscience told me I had been doing wrong, and I vowed to God if he spared me, I would reveal the whole. I had some of those feelings before I was in custody. I had it before I entered the loft; but when I heard the man was murdered I was worse. I went down stairs with the intention to surrender myself to the officers, but not seeing any I went away. The most men I ever saw together, were fifteen. The largest sum of money I ever saw amongst them was six shillings. I do not know what force could be brought into the field. The cannon were to be loaded with powder, and the tops of some of the iron railings were to be knocked off for balls. I have not seen Edwards since the 22nd February. He seemed in close connection with Thistlewood and Brunt. My own arm was not within sufficient reach to stab Smithers.

Re-examined by the Solicitor-general.—I was carrying on my trade at Canbray among the English officers.

The Court adjourned, and the jury were conducted, under the care of officers of the sheriff, to rooms prepared for them at the London coffee-house.

SECOND DAY.

At a quarter past nine o’clock the Judges took their seats.

Eleanor Walker (2nd Witness), deposed as follows: I am a servant with Henry Rogers, 4, Fox-court, Gray’s-Inn-lane; we had a lodger named Brunt, one of the prisoners, and had two rooms on the second floor. There was a second floor back room to let, and Brunt took it for a man who had, he said, just come out of the country. No furniture was ever brought in. I often heard people going up stairs.

Mary Rogers (3rd Witness) remembered letting the back second floor to a man brought in by Brunt, who said, he was a butcher out of work. The new lodger never slept in the room. He paid the rent for four or five weeks. One evening I saw three men going up to his room; one was a black man. Strangers often came to him.

Joseph Hall (4th Witness).—I am apprentice to Mr. Brunt; I remember the man he brought to lodge. That man is the prisoner Ings. Every evening a number of visitors used to come to them. Among them were, constantly, Thistlewood, Tidd, Bradburn, Edwards, Hall, Potter, Strange, Adams, Davidson, and others. They used to stop about two hours, and sit in Ings's room, on chairs taken out of Brunt's. They called Thistlewood sometimes T. and at others Arthur. One day I saw some (about 20) long poles, like rough branches, in the room, and there was, occasionally, hammering and sawing carried on there. My master was taken up on the 24th of February. On Sunday, the 20th, there was a meeting in Ings's room, in the morning, attended by the persons I have already named. There were similar meetings on Monday, and Tuesday. On Wednesday, the 23rd of February, they were also there. On that day, Strange came into Brunt's room, and was putting some new flints into pistols, but went out of it again into Ings's on Brunt's saying there was somebody overlooking them from the opposite window. Thistlewood was there on Wednesday, and got from me a sheet of writing paper, which he took into the back room. Brunt gave me sixpence to get six sheets of cartridge paper, and I gave it to him between four and five o'clock on that afternoon. All the persons in the back room went out about five o'clock on the Wednesday evening, and my master followed at six o'clock. Tidd came to Mrs. Brunt between seven and eight o'clock, who showed him a pike-head and sword that were in the cupboard. She asked him what she was to do with them? and he removed them into the back-room. Tidd soon after went away, and left word that if any body called soon, they were to make haste and follow to the White-hart public-house. Some came, and went on there. About

nine o'clock the same night, Brunt returned home; his clothes were very dirty, and he seemed much confused; he said to his wife, "All is up! Where I have been a great many officers entered, and I have saved my life, that is all." Another man soon after came in and shook hands with Brunt; the latter asked this man if he knew who were in pawn? The man said no, and complained of having got a dreadful blow in the side, and being knocked down. Brunt said, "There is something to be done yet," and he and the man went out together. Mrs. Brunt and I then went into the back-room, where we found one of the poles, and in the cupboard were several rolls of brown paper containing tar, also some cartridges, and things as big as two fists, called hand-grenades; and an iron pot. At eleven o'clock my master again returned home, and said he should want me early in the morning, and to have his boots cleaned early. He accordingly called me up at half-past six o'clock on Thursday morning, and asked me, if I knew Potter's, at Snow-fields, Borough? I said I did not. I then cleaned his boots, which were very dirty, and he shortly after got up, and took me into the back-room, where we began to stow away the rolls of paper into two wicker baskets; while so engaged, two officers came in, seized the baskets, and took my master into custody.

Cross-examined by Mr. Adolphus.—My master was a journeyman shoemaker, but not exactly in very poor circumstances. Adams and Tidd were in the same line; Strange was a salesman, Edwards was a modeller, Hall was a journeyman tailor.

Thomas Smart (5th Witness).—I am a watchman in the parish of St. George's Hanover-square. On the night of the 22nd of February, I was in Grosvenor-square, and saw four suspicious-looking men looking into the areas of lord Harrowby's house; one of them was a very dark or black man.

Henry Gillan (6th Witness).—I am servant to Mr. Whittle. I frequent the Rising-sun, Charles-street. I was there on the night of the 22nd of February, and saw Brunt in the room with a tall man; Brunt challenged me to play dominoes, and I played two games.

John Hector Morrison (7th Witness).

—I am a journeyman cutler, in Drury-lane; recollect a sword being brought to the shop on Christmas Eve; the man had the sword wrapped up in a smock-frock, without a sheath: he desired to have it well ground, and with a fine point: he said his name was Ings: the sword was a particularly long one. I have seen it since with a Bow-street officer.

Edward Simpson (8th Witness), is corporal-major in the 2nd Regiment of Life Guards, and knew the prisoner Harrison. Harrison knew the King-street barracks. There were generally about 300 soldiers at Knightsbridge barracks.

James Aldous (9th Witness).—I am a pawnbroker in Berwick-street. The prisoner Davidson, came to my shop on the morning of the 23rd of February, and took a brass barrel blunderbuss out of pawn.

Thomas Hidon (10th Witness).—I was a cow-keeper, and formerly a member of a shoe-maker's club, where I knew the prisoner Wilson. I saw him at the club a few days before the 23rd of February; he asked me if I would come forward, and be one of a party to destroy his majesty's ministers (these were his words) at a cabinet dinner. Every thing was, he said, prepared for the occasion, and the dinner was at hand. If I would join them, he said, Mr. Thistlewood would be glad to speak to me. He also stated, that hand-grenades were prepared for throwing under the dinner-table, and that the ministers who escaped the explosion were to die by the sword, or some other weapon. They were also to fire some houses, and create a general confusion to distract public attention for three days, by which time all would be arranged. The fires were to be at stations fixed upon, and among them were to be the houses of the duke of Wellington, lord Harrowby, lord Castlereagh, lord Sidmouth, the bishop of London, and some others, which I now forget; this was four or five days before the Cato-street occurrence. I went to lord Harrowby's house before the 23rd of February, to inform his lordship of what was going on. He was out, and I followed him to the Park, where the servant said he had gone; I met him there, and gave him, while he was riding, a note containing the whole

plot. I met Wilson about 5 o'clock in the evening of the 23rd of February; he said I was the man of all others he wanted to see; he told me that the business was to be done that night at a cabinet dinner, and begged of me to meet him as soon as I could on that evening, at the Horse and Groom, John-street; he told me that we were to have the aid of another party in the Borough, and that all the Irish in Gee's-court, Oxford-street, were in the plan; but they would not stir until the English did first, as they had so often been deceived before. Wilson said, a gentleman's servant had been supporting some of the party, and would give them more money if they went actively through the business. He explained to me, that after we did the grand piece of work in Grosvenor-square, we were to retreat into the city as quick as we could, and rally at the Mansion-house. I promised to join him as soon as I possibly could. I went accordingly at seven o'clock, and saw Wilson and Davidson; the latter complained I was after my time.

Cross-examined.—Wilson told me the plan in the open street.

[The letter which witness handed to lord Harrowby, was here shown to witness, and identified by him.]

The Earl of *Harrowby* (11th Witness).—I reside in Grosvenor-square. I am president of the council, and a member of the cabinet. On Wednesday, the 23rd of February, I was to have had at my house a cabinet dinner, and cards of invitation had been issued to the following personages:—the lord chancellor, the earls of Liverpool, Westmorland, and Mulgrave, earl Bathurst, the duke of Wellington, lord Melville, lord Castlereagh, the chancellor of the exchequer, Mr. Canning, Mr. Wellesley Pole, Mr. Robinson, and Mr. Bragge Bathurst. At a cabinet dinner none but the members of the cabinet were invited. On the Tuesday before the intended dinner, I was riding in the Park about 2 o'clock, preparatory to my attending a council. I had no servant with me. A person addressed me near Grosvenor-gate, and said he had a letter addressed to lord Castlereagh. The letter now in court is that letter. The man, who was the last witness, at my desire, gave me his address. He met me, by appointment, on Wednes-

day morning, in the ring, in Hyde Park. The cabinet dinner did not take place as intended on the Wednesday, but the preparations for it were carried on in my house just as if it was to take place; nor did I countermand them until 8 o'clock on that evening, when I wrote a note to my head servant, from lord Liverpool's.

Cross-examined.—I had general information respecting some plot, before I saw the man in the Park. I don't know one Edwards: I never saw him. We had had, for a considerable time, reason to expect that some attack of this nature was intended. I believe we heard of it a month or two before.

John Baker (12th Witness), butler to the earl of Harrowby, deposed to the preparations for the dinner not being interrupted until 8 o'clock.

John Monument (13th Witness).—This witness was brought into court by two yeomen of the guard from the Tower.—I am a shoemaker, and lived near Brook's-market. I know Thistlewood; he called on me with Brunt, and said that great events were at hand; he had often been promised the support of many who had deceived him, but that now he had got men who would stand by him. He observed, all had got arms—some had swords, others pikes or pistols, and that I might get a pistol for 5s. I answered that I had no money. Well, then, said he, I shall see about it. Brunt came to me on the 22nd of February accompanied by Tidd; he told me, that events had often rendered a change of plan necessary, but that now all was fixed. He desired me to go on the next night to Tyburn turnpike; I was to speak to some people there; I was to say BUT, and if they were friends, they were to say TON. Brunt called again on the afternoon of the 23rd, between four and five, and asked if I was then ready to go. I promised to do so at six o'clock. At half-past six o'clock I went to Tidd's house. I saw him there—he took a large pistol out of a trunk, and fastened it in a belt round his waist under his great coat. He also took out about ten pikes, a foot long each, and some staves to fix them on. We then went together up to John-street; on the way I pressed to know where we were going, and whether it was to the House of Commons; he replied, no, there were too

many soldiers about that place. At last, he told me we were going to a cabinet dinner in Grosvenor-square. We went on to Cato-street, and I ascended the steps from the stable to the loft, which was a small one. There were 24 or 25 men in the room. One man, in a brown great coat, who was sitting down, and who had a belt with pistols in it, round him, talked of the impropriety of attacking the cabinet ministers at lord Harrowby's with fourteen men. Thistlewood insisted, that number would be an overmatch for sixteen of lord H.'s servants. One man said, after we are done, there will be a crowd about the door—how shall we get away? Thistlewood said there would be another body ready to assist us. Davidson rebuked the man who talked of the 14 men, and said, if he was afraid, he had better go about his business. Brunt also said, that sooner than now throw up the business, he would do it himself, and blow up the house with the combustibles they had, and perish with the rest. The man who was objecting, then said, that as all were ready, he would join also, and go under Mr. Thistlewood's orders. Thistlewood said they would all share equally with him in the honour of the exploit; and then proposed that 14 should volunteer to go into the dinner-room, that those who were ready to do so, should file off at the side of the loft—a number did so. Thistlewood then went out for a minute, and when he returned, said, that lord Sidmouth and the duke of Wellington were already arrived at lord Harrowby's. Nothing else occurred until the officers and soldiers came up, and took us into custody.

Cross-examined.—I attended the meeting in Finsbury-market. I don't know Edwards. The room in Cato-street was full, and we had bread and cheese and beer.

Re-examined.—On the table were arms of various kinds. Thistlewood told me at Whitehall to say on my examination, that it was Edwards took me to Cato-street, and I was to say he was a short sallow complexion man, and dressed in a great coat.

Thomas Monument (14th Witness).—I am brother to the last witness. I remember Thistlewood calling upon my brother; he brought Brunt with him. After they had come into the

room they staid five or ten minutes, when they went out. On the Tuesday before the Cato-street business, Tidd and Brunt called on my brother. Brunt said, that the king's death had made a little alteration in their plans. Brunt then asked my brother to meet him at Tyburn turnpike on the next evening; my brother agreed. Brunt said to Tidd, suppose we give him an outline of the plan? Tidd made no answer. Brunt then gave us the password *but*; if we met any friends, they would answer *ton*. They spoke chiefly to my brother.

Cross-examined.—I never saw Brunt before. I made no inquiries into their plans.

Thomas Dwyer (15th Witness).—I live in Gee's-court. Before the 23rd of February I became acquainted with Davidson. He introduced me to Mr. Thistlewood. We went together to a public-house, near Cato-street, the 9th, 10th, or 11th of February. Thistlewood said that he was in five or six different revolutions, and that Ireland was in a disturbed state. I am an Irishman; and he said that he had a good many of my countrymen. I saw Davidson on the 22nd. The next morning I went to Fox-court, Gray's-Inn-lane; Davidson told me he was going on sentry; I went with Harrison to Fox-court; he had a bundle wrapped up in paper; we went to a two-pair back room; the door was locked when we got there, but Harrison got the key; when we got in, I saw a cupboard, from which I afterwards saw a ball taken, wrapped up in rope yarn; Harrison said it was a grenade; Thistlewood, Davidson, and a few more came in subsequently; Davidson had a blunderbuss, a pair of pistols, and a bayonet, in his side pocket; I saw Brunt there; Thistlewood said that some of the grenades were to be thrown into the horse barracks, and some more of them into lord Harrowby's, to set fire to the house and blow it up. Thistlewood asked me how many of my countrymen I could muster, at half-past eight that evening? I said about 26 or 27; he told me to assemble with them at the Horse and Groom, and that I was to be at the Pomfret Castle, at six o'clock, at the end of Wigmore-street, a house frequented by Irishmen; we were then to go to the Foundling hospital, put a pistol to the porter's

breast, and then to turn round to the right hand, where I would see five or six and twenty stand of arms, which I was to seize—another party was to seize two pieces of cannon at the City Riding School, Gray's-Inn-lane—more he said would make a breach in Finsbury; he said that there was to be a cabinet dinner at lord Harrowby's that day, and that they were to make an attack there. After this I saw a bundle taken out of the cupboard; it contained gunpowder, which was measured into some flannel bags; I got into my own place about 12 o'clock; I that day told a major James of what I had heard and seen. In consequence of what he said to me, I went to the Secretary of State's, about one or half-past one.

Cross-examined.—I do not know what there was in my character to induce them to trust me, except that I had been in that parish for fifteen years. I do not know a man of the name of Hucklestone. I was in Ireland at the time of the rebellion; I was then quite a boy.

George Caylock (16th Witness).—On the afternoon of the 23rd of February, I saw Mr. Harrison in Cato-street, with a candlestick in his hand. In the course of that evening I saw a great number of other people go in and out, from 20 to 25. This was between five and seven.

Richard Munday (17th Witness).—I live at No. 3, Cato-street. On the afternoon of the 23rd of February last, I saw Davidson walking under the archway at the end of the street; I had seen him two or three times before. I also saw Harrison open the cow-house-door, and shut it again. After I had my tea, about half-past five o'clock, I saw Davidson go and get a light from a woman at No. 1; I saw that he had two belts on, two pistols, and a sword. Harrison opened the door, and let him in. There were several persons going backwards and forwards, and I saw eight or nine inside. The building was a stable belonging to general Watson. One part is a chaise-house; there was a loft over with two rooms. Firth kept five cows in the stable. One of the rooms up stairs had a fire-place. This place had been vacant for six or seven weeks. There was a coarse matting over the doors and windows.

Mrs. *Elizabeth Weston* (18th Witness).—I live at No. 1, Cato-street. In the afternoon of the 23rd of February last, I saw a man come from underneath the gateway, and go into the stable with a key in his right hand, and a bag on his shoulder; it was Davidson; and after that, he came and asked me to give him a light, which I did.

George Thomas Joseph Ruthven (19th Witness).—I am a constable at the public-office, Bow-street. I went to Cato-street on the afternoon of the 23rd of February. My party amounted to at least twelve. I went into the stable, and I saw a man with a blunderbuss or a gun on his shoulder, and a sword, or some side arm. My party followed me into the stable. I found a ladder, up which I went; it led to a loft in which I observed, several men. I heard the clattering of arms, and saw swords and pistols. Three or four had come up with me. Ellis and Smithers were up. There were about four or five and twenty persons in the room. The size of the room was fifteen feet five one way, and fifteen feet ten the other. There were two rooms adjoining the loft, communicating by doors. When I gained the loft, I said, "We are officers, leave your arms!" I saw in the room the prisoner Thistlewood. I had been acquainted with his person between four and five years. He was standing on the right-hand side of the table, near to the little room, as we entered. Immediately on my exclamation, he seized a sword from the table, and stood back into the little room. The sword was drawn when he seized it. It was a very long sword, rather bright. He stood fencing with the sword to prevent any body coming to him. Smithers approached him, upon which he thrust his arm forward, and pierced Smithers, who fell. Smithers said, as he fell, "Oh, my God; I am done!" The lights were put out, when somebody said, from the corner of the room where Thistlewood was, "Kill the —; throw them down." There were eight lights; they were all put out, and we were all in the dark. I heard a rush to the ladder, and a cry of "Aye, kill them." I joined in their cry, and rushed down with them. On getting down, I did not observe any thing till I got into John-street, where I found

the soldiers. I then returned. There were twenty or thirty shots fired; some in the room, and some from the window. On my return, I observed a man going to the door. I called out, and he lifted his arm to fire. That was Tidd. I caught hold of his right arm, and we closed and fell. The soldiers came up instantly, and the pistol went off. He was secured, and I searched him. Round his waist I found a leather belt of a buff colour; in his pocket two ball cartridges. I searched him, in the public-house. While there Bradburn was brought in. I searched him and found round his waist a string wrapped four or five times round to answer for a belt. I also found six ball cartridges and three balls in his pocket. Davidson and Wilson were afterwards brought in. When Davidson was brought in, he swore against any man that would not die in liberty's cause, for he would; he also sung part of the song of "Scots' wha ha'e wi' Wallace bled." I returned to the loft, and found some soldiers there. Shaw, Strange, Cooper, Monument, and Gilchrist, were also there. On looking about, I saw arms in the possession of different people. I searched myself, and found two swords, and a bag, containing ten hand grenades. There were also two papers wrapped up containing nothing but tow and tar. There was likewise a very large grenade, as big as my hat. These grenades had fuses. The arms and grenades were subsequently taken to Bow-street.

Cross-examined.—I have known Thistlewood since his former trial. We have four or five men of the name of Edwards, in our office.

James Ellis (20th Witness).—I am a conductor of the patrol at Bow-street office. On the 23rd of February last I went with the other officers to Cato-street. I went immediately after Ruthven. This witness corroborated in all respects the testimony of the last witness [Ruthven].

Cross-examined.—Mr. Ruthven was the principal officer. I had the warrant.

William Wescott (21st Witness).—I went with the other officers to Cato-street, on the 23rd February. Ruthven, Ellis, and Smithers went up the ladder into the loft. I observed Ings in the stable; I seized him by the collar. We had a contest; he attempted to

take something from his right side, and I struck him with my staff on the head. While I was taking out my handcuffs, I saw Thistlewood coming down the ladder. There was a light; Thistlewood presented a pistol at my head; I put up my hand to save myself, and he fired. I afterwards found that balls had gone through my hat. I received a blow on the head, and fell. When I was down, Thistlewood made a cut at me with something like a sword; I was wounded in the hand with a ball.

Luke Nixon (22nd Witness).—I am a Bow-street officer. I saw Ellis fire. Another pistol or two was fired from the little room, and then followed a rush, when I was knocked down. As I lay on the ground, I saw a man present a pistol at Westcott; I rather believe it was Thistlewood. I found a sword and a dirk, and saw Ruthven find some grenades.

John Wright (23rd Witness).—I also went to Cato-street; when I had got up about three steps of the ladder, we were forced back. I turned round, and observed a man in the further stall. He had something slung on his coat. I took a sword from one side of him and a knife from the other. The knife was a butcher's knife, and it was tied round with wax-end. I saw Wilson and Bradburn taken. Wilson had cartridges on his person.

Wm. Charles Brookes (24th Witness) is a Bow-street patrol, I was in John-street. Mr. Birnie pointed over the way. I looked, and saw the prisoner Ings, and a man before him with a cutlass; I saw Ings with a pistol, which he presented at the other man; I said "Surrender," when Ings turned half round, and said, "I'll shoot you;" he fired; the shot passed through my clothes near my neck; I pursued him; when he got into the Edgeware-road he threw away his pistol; he was stopped by Moay, a watchman, and I came up and said, "You rascal, why did you fire at me, a man you never saw before?" He said, "I wish I had shot you, for I know I shall be hanged for what I have done."

Ings now exclaimed, "Am I allowed to ask any question?"

The Lord Chief Justice.—You are not upon your trial.

Ings.—It is false, what he says.

The Witness then went on—I af-

terwards searched the prisoner, and found upon him two haversacks, a belt calculated to hold two pistols, a tin case with gunpowder in it, four bullets, and a butcher's knife-case.

George Franklin Moay (25th Witness), a watchman, confirmed the testimony of the last witness; as did also *Joseph Champion* (26th Witness).

Captain Fitzclarence (27th Witness).

—I recollect on the 23rd of February, going with a piquet to John-street. I had been desired to attend by Mr. Birnie; it was between eight and a quarter after eight when I arrived; I heard a pistol shot, and led on the piquet to Cato-street; there is an arch over the entrance; I met a police-officer, who called out "Soldiers, soldiers;—the door-way;" I went to the stable; I met two men in the door-way, one on the right, the other on my left; one of them cut at me with a sword, the other attempted to fire at me with a pistol; the man who cut at me, seeing the body of troops behind me, ran into the stable. There was a scuffle between the other man and serjeant Legg. I pursued the first man into the stable, who exclaimed, "Don't kill me, and I'll tell you all." I gave him to the piquet. I then ran into one of the stalls, and secured a second man. I afterwards caused a file of grenadiers to follow me into the loft, where we secured three, four, or five other men—I believe four. Smithers was lying dead, and several sorts of arms were lying about.

Samuel Hercules Taunton (28th Witness).—On the morning of the 24th of February, I went to Brunt's lodging. In the front room I found nothing material; in the back room I found two rush baskets, one tied up in an apron, the other not tied up. Brunt said he knew nothing of the baskets, the back room did not belong to him. There was also a pike staff and an iron pot found in the room; there was tar in the bottom of the pot. After I had searched this place, I went to Tidd's in the Hole-in-the-Wall passage, near Gray's-Inn-lane. I there found a large box full of ball cartridges. I counted the cartridges; they amounted to 965; I also found at Tidd's, ten grenades, and a great quantity of gunpowder, 434 balls in a haversack, 171 ball cartridges, 69 ball

cartridges without powder, and about three pounds of gunpowder in a paper; I also found 11 flannel bags, each containing one pound of gunpowder: there were ten flannel bags empty, 58 balls in another small bag, four flints and 27 pike handles. In one of the baskets at Brunt's, there were nine papers, filled with rope yarn and tar, and in the other, four grenades, three papers of rope yarn and tar, two flannel bags of powder, one pound each, and five flannel bags empty, a paper of powder, and one leather bag, with 63 balls in it. These I brought away; they are here.

Daniel Bishop (29th Witness).—On Thursday morning, between ten and eleven, I went with others to apprehend Thistlewood, at No. 8, White-street, Little Moorfields. The house was kept by one Harris. I received a key from Mrs. Harris, and opened a door of a ground-floor room. On opening the door I saw Thistlewood in bed. He put his head from under the clothes. The shutters were shut, but there was sufficient light for me to see who it was. I had a pistol in one hand; I threw myself on the bed. He said I shall make no resistance. With the assistance of my brother officers I secured him. I searched his waistcoat, and found three leaden balls, two flints, one ball cartridge, and one blank cartridge, likewise a small silk sash. I saw Lavender take from his coat pocket a black cloth belt, with a place to put a pistol and a sword in.

Cross-examined.—A man of the name of Edwards did not come with me.

Stephen Lavender produced the belt found in Thistlewood's pocket.

[The articles found in Cato-street, together with all the articles found on the persons of the prisoners, and at their lodgings, were then produced, and identified. The fire-arms were loaded till the day before, when the charges were drawn; they were loaded with ball.]

[The jury inspected the arms separately.]

John Hector Morrison (7th Witness recalled) cutler, in Drury-lane, looked at two swords, which he said were the same which he had ground for Ings.

Serjeant *Edward Hanson*, (30th Witness), of the Royal Artillery. I examined one of the grenades produced to

me at Bow-street. It is composed of a tin case, in the form of a barrel, in which a tube is soldered. The case contains three ounces and a half of gunpowder. The priming in the tube is a composition of salt-petre, powder, and brimstone. The tin was pitched and wrapped round with rope yarn; twelve pieces of iron were planted. From the lighting of the fuse to the explosion might take about half a minute. If one of them were to be exploded in a room where there were a number of persons, it would produce great destruction. The pieces of iron would fly about like bullets.

[The witness here opened another of the grenades for the satisfaction of the jury: it was composed in the manner already described. The pieces of iron principally consisted of old cart nails, such as the tyres of wheels are nailed on with.]

Witness in continuation.—I examined one of the fire-balls; it consisted of oakum, tar, rosin, and stone brimstone pounded. If thrown on wood, it would be sure to set it on fire. The effect would be still more certain on straw or hay.

The Attorney General.—That is the case, my lord, on the part of the Crown.

DEFENCE.

Mr. Curwood now rose to address the jury on the part of the prisoner. It was, he said, one of the characteristics of the profession to which he had the honour to belong, that they were not at liberty to refuse their assistance to persons in the situation of the unfortunate man at the bar. It was fit, on an occasion of this sort, that they should know something of the man by whom they were addressed. With respect to himself, although, like every other Englishman, he had his feelings upon certain points, yet he never belonged to any particular party, nor was he in the habit of attending political meetings. With respect to govern-

ment, he never had received any place or appointment from them, nor was it likely that he should. Therefore, he had no motive to influence him in doing his duty, or at least in endeavouring to do it fairly and honestly. Himself and his learned friend, he continued, not having received their instructions till a late hour on Thursday, the difficulties with which they had to cope were of no ordinary kind; and these difficulties became the more formidable, when it was recollected that they had arrayed against them the most distinguished talents which it was in the power of the crown to procure, aided by the advantage of study, and of a mature consideration. The sorts of treason charged were four in number: The first was founded upon the late statute of the 36th of the king, for conspiring to depose his majesty from his imperial style and dignity. This was the question then which they had to try. First, had the prisoners at the bar conspired or imagined the death of the king? then had they conspired to depose his majesty from his imperial style and dignity?—thirdly, had they conspired to levy war against the king? he apprehended that they must be satisfied that one or the other of these charges was proved before they could find a verdict of guilty. The great mass of evidence which had been adduced certainly led them to conclude that a conspiracy of some kind had existed; but it did not follow that the substantive treason charged in the indictment had therefore been committed. Would it be contended, that this removal of an administration was necessarily connected with the

deposition of the monarch, and that every man who attempted to effect such a purpose would be involved in the crime of high-treason? More violent men might think it necessary that an administration should be removed by violence. He desired not to be misunderstood, as meaning under that plea to justify assassination. All he meant to argue was, that they must not take it as a necessary consequence that the death or destruction of a whole administration involved the death and deposition of the king. If they (the jury) were of opinion that it did not involve such a consequence, the evidence on this occasion did not support the substantive treason laid in the two first divisions of the indictment.—There were two other treasons, however; one was the conspiracy to levy war against his majesty; and the other, the actual levying of war. Now he called upon them to look to the evidence, and see whether they could draw from that a fair inference that there was a conspiracy to levy war, and that what had been done amounted to an actual levying of war. Mr. Curwood argued with great acuteness, that whatever guilt might be imputed to the prisoner, the evidence, on which he commented at length, established nothing to satisfy the legal definition of the offence charged in the indictment. In conclusion, the learned gentleman said, he would proceed to call a witness to prove that Adams, who had been called for the crown, together with an accomplice of the name of Edwards, who had not been called, were the persons who had conveyed the arms and ammunition to the

house of Tidd on the very morning they had been found there by the Bow-street officers.

EVIDENCE FOR THE DEFENCE.

Mary Parker (1st Witness for the Defence).—I am the daughter of Richard Tidd; I remember the police-officers coming and finding some things in our lodgings; those things had been in the house when they came about a quarter of an hour; I know a person of the name of Edwards: I have also seen him at my father's often; he has brought similar things before; Edwards took part away; Adams brought a large grenade; I do not know where Edwards was.

Edward Hucklestone (2nd Witness for the Defence).—I know a man of the name of Dwyer. I do not think he is to be believed on his oath.

Cross-examined.—I saw him with plenty of money. He told me he would put me in the way to make plenty of money. I agreed, and he proposed that we should charge gentlemen with an unnatural offence. He said he got 10% at a time from one gentleman in St. James's-street, by only catching him by the collar, and accusing him. I ought to have communicated it to a magistrate; but I was afraid of falling a "victim" to the Irishmen.

Mr. Joseph Doane (3rd Witness for the Defence).—I am called the court reporter. [Looked at the announcement in the New Times]. The paragraph respecting the cabinet-dinner, from the wording, I think I did not send. I do not think I would use the word "grand."

Andrew Mitchell (4th Witness for the Defence).—I am printer of "The New Times"; I produce the original of the paragraph.

Mr. Doane recalled.—That is not my manuscript.

Andrew Mitchell.—I did not receive that from Mr. Doane, but from a person of the name of Lavenue, who furnishes things in the same way.

John Whitaker (5th Witness).—I searched in eleven newspapers, in none of those papers was there such an announcement as that in "The New Times."

Mr. Adolphus.—This is all the

evidence I intend to offer on the part of the prisoner.

Mr. Gurney.—I wish, my lord, that Dwyer should be again called.—[The witness, Dwyer, was then again put in the box, and examined by Mr. Gurney:] I do not know a man of the name of Hucklestone.—[The witness Hucklestone, was desired to stand up].—Dwyer: I know that man, but did not know his name was Hucklestone. I never proposed to him to charge any person with an unnatural offence.

Mr. Adolphus now entreated permission to be allowed till the ensuing day to prepare himself to address the jury on the part of the prisoner.

A Juror.—My lord, as some doubt has been thrown on the evidence of the witness Dwyer, I and my brother jurors would be better satisfied if colonel James, or some person from the secretary of state's office, were called to corroborate the truth of the statement which the witness has made, relative to his communicating the designs of the parties.

Lord Chief Justice Abbott.—Perhaps it would be better for the present to forbear saying any thing on that subject.

The Court was then adjourned till the next day, at nine o'clock, and the jury were again conducted to the London Coffee-house, attended by the sheriffs' officers.

THIRD DAY.

The *Attorney General* said, that in consequence of a suggestion which had fallen last night from one of the gentlemen of the jury, a person [Major James] who had been alluded to, and whose presence had been desired, was now in attendance on the court.

Mr. Adolphus said, he did not choose to call for the evidence of the person alluded to, as he had not been examined by his solicitor.

Mr. *Adolphus* then rose to address the jury. The narrow limits of an abstract necessarily compel us to reduce to a meagre outline one of the fullest, richest, most powerful, and most brilliant arguments ever delivered in a British court of justice. The learned advocate said, he had known of many trials for high-treason, but of none in which an unfortunate prisoner had ever stood in such a state as the unhappy man at the bar. There never before appeared a prisoner so completely devoid of all assistance and support, and so utterly thrown, as it were, on charity for the means of having any thing like a defence. To say that he had arrayed against him all the force of talent and influence of reputation, was to say comparatively nothing, for the crown had a right to the best services of its best servants whenever it stood in need of them. On former occasions, which he well recollected, a prisoner standing charged as this man was, had the advantage of having eminent professional men voluntarily standing forward to be his advocates, giving him their timely aid, and meeting the prosecution on his trial with preparations and advantages of which the present prisoner was altogether bereft. He (Mr. Adolphus) was applied to for this prisoner on the very eve of his trial; his feeble assistance was only called for on the Thursday—on Friday he was unavoidably absent from town, on Saturday he only received his instructions, and on

Monday he had to appear in court as the prisoner's advocate. In all the former trials too which had taken place within these walls for high-treason, and he believed the last were in 1794, the prisoner was left to stand or fall by the decision of the specific charge on which he was tried. When acquitted on that, he was suffered to go about his business without restraint. The present prisoner was left with no such chance; his circumstances were totally different: if he escaped the heavy charge of treason, still an indictment for murder, and another under what was called lord Ellenborough's act, remained to be answered; so that the unfortunate man might be considered as reduced to the melancholy choice, whether the office of the executioner should cease upon his body with the mere execution of it, or be still further hacked to pieces by the crown, or consigned to the knife of the surgeon. The line of defence which he had to adopt was more difficult than any that had been heretofore imposed upon an advocate. He was ready at the outset to admit, that there was in the present case evidence for their consideration in support of a charge for plotting the assassination of his majesty's cabinet ministers; but he was prepared fully to deny that such a charge, even if substantiated, amounted to the crime of high-treason, and for that offence alone they had now the prisoner in charge.

He would now entreat of them to look first, whether the evidence justified them in inferring this treasonable intent. If they disbelieved Adams, the other evidence must fall to the

ground. It too well observed, that prepared falsehood was not always pure invention, but engrafted on some truth, and ingeniously contrived to work its way by discolorations and exaggerations, rather than by the force of absolute fiction. The learned gentleman then proceeded to advert, point by point, to Adams's evidence, and comment upon it with great force and ingenuity as he passed. He observed, that from the 1st of January to the 16th there were several meetings spoken to by Adams, at which various plans, all having assassination and plunder for their aim, were discussed, and that the 16th was talked of by Thistlewood and Harrison as the time of action; for on that day all the guards and all the police would be out of London on duty at Windsor, attending his late majesty's funeral. It was, he thought, perfectly clear from these allusions to the absence of the soldiers and police, that riot and plunder, not high-treason, were the aim of the parties, besides the gratification of some private malice against the ministers. To carry into effect these mighty schemes of treason, as they were called, what were the means which, according to Adams, Thistlewood developed to him who, as a soldier, must of course have been supposed acquainted with the force calculated to carry such plans of resistance and destruction into execution? Thistlewood said they could get two pieces of cannon in Gray's-inn-lane, and six in the artillery ground, and with these they were to take and keep possession of London, and also with a force of twenty-five men, without a horse to remove the guns, or a shilling

in their treasury, to pay any expenses. This was the story told to the jury by Adams, who would have them believe, that both he and Harrison, who had been soldiers, fell into this ridiculous, contemptible, and impracticable plan, without making a single remark upon the palpable futility of it. Besides this incursion of the 25 wretched and starving beggars, and the eight cannons without a horse, they were also, according to Adams, whose invention was absolutely inexhaustible, to seize the telegraph at Woolwich and the ports of Dover, Brighton, Ramsgate, and Margate. He agreed with the attorney-general, that it was not because a plot was impracticable and ridiculous, that therefore its existence should be disbelieved; but from all that had been proved there was nothing by which any intention was manifested to depose or levy war against the king. After some further observations on the discredit which had been thrown on the testimony of Dwyer, the learned gentleman concluded,—by praying “that God by whom kings rule and princes decree justice,” may touch your hearts and minds on the present occasion—may enable you to give your decision consistently with justice, always remembering, that mercy is the highest attribute of that deity. Look your duty firmly in the face, and if you feel the slightest doubt or hesitation, let the unfortunate man at the bar have the benefit of that doubt, and whether his life is to be prolonged for a week, or to that extent which the goodness of God intended, according to the course of nature, your determination in

justice will best satisfy the will of your Creator, and the interests of posterity hereafter.

The *Lord Chief Justice* now addressed the prisoner, and said, if you wish to offer any thing for yourself in addition to what has been said by your counsel, you are at liberty so to do.

Thistlewood.—I wish, my lord, to have two witnesses examined to the testimony of Dwyer. There is a man in court, who will prove that Dwyer extorted money from him.

The *Lord Chief Justice*.—You must not state that—you should have consulted with your counsel. The time for giving evidence is now past.

Thistlewood.—I will waive it then, my lord. I have nothing further to offer.

The *Solicitor General* replied at great length. In the charge against the prisoner, he said, there was nothing of a difficult or questionable description. He was charged with conspiring for the purpose of overturning the government of the country, and with endeavouring to accomplish that by means of the assassination of his majesty's ministers. If the jury, upon a due and careful examination of the evidence, were satisfied that he had so conspired, and that he had been found taking measures to accomplish that object, then, in point of law, he was guilty of the crime imputed to him. But there was a strong argument in favour of all that had been stated, and that was, that it had not been contradicted by evidence, although such evidence was capable of being produced. For if what Adams had disclosed was not true, why were Potter and Cook, and Palin, to all of

whom he spoke as having been present at the various meetings which took place, and who were eligible witnesses for the prisoner, not called. If, however, as had been said by his learned friend (Mr. Adolphus), any doubt did exist, to the benefit of that doubt the prisoner was fully entitled.

The *Lord Chief-Justice* stated to the jury, in a strong and perspicuous manner, the law of high treason, as it existed both in the statute of Edward 3rd, and in the more recent statute of the 36th of the late king. He then recapitulated the four charges contained in the indictment against the prisoner, and the several overt acts alleged to have been committed in furtherance of their design. He then read over the material points of the evidence.

At three quarters of an hour after four o'clock, the jury retired to consider of their verdict. They returned, however, in ten minutes, for the purpose of requesting the lord chief-justice to read to them the precise terms of the statute of the 36th of the late king. His lordship having complied with their wish, and made some explanatory observations, they again retired. At a quarter past five they returned once more, with their final determination, and announced their verdict to be—*Guilty of the third and fourth counts of the indictment*. That is to say, on those counts which charged the prisoner with conspiring to levy war, and with the actual levying of war against the king.

The unfortunate man was then taken from the bar. During the absence of the jury, he seemed to feel poignantly the melancholy situation in which he was placed.

When Thistlewood was taken back to his cell, he seemed to be absorbed in the melancholy contemplation of his approaching fate. He partook of some refreshment, but was unable to recover his spirits. In the course of the evening he asked for a glass of wine, which Mr. Brown instantly sent to him. Mrs. Thistlewood had an interview with her unfortunate husband on Wednesday morning. Their meeting was affectionate.

Wednesday, April 19.

TRIAL OF INGS.

The *Solicitor General* stated the case for the Prosecution.

Robert Adams, the accomplice, was first called by the crown. His testimony was, for the most part, similar to that already given. He added, that there was a conversation about the illness of the present king; Thistlewood said he would rather the new king lived a little while longer, but it was not their intention he should ever wear the crown. Ings upon this said, that the very day the Prince Regent last went to Parliament, he himself went to the Park for the purpose of shooting him; and as a test of his sincerity, he said, "There's the pistol I took with me." He regretted he had not done it, and if he had he should not have cared a farthing for his own life.

The other witnesses deposed as on Thistlewood's trial, with the exception of Dwyer, who was not called.

Mr. *Curwood* then addressed the Court at considerable length. After the evidence for the prisoner was called,

Mr. *Adolphus* rose and addressed the jury. He earnestly requested the jury not to give credence to the evidence of the witness, Adams. If upon such infamous testimony men were to be sacrificed, he contended that

they might soon see another judge Jeffreys on the bench, and another Titus Oates in the witness-box!

Ings, turning towards the jury, addressed them at some length. He said he had lived at Portsea, but not being able to keep his wife and family, had come to London. He set up as a butcher in Baker-street, but failed. He was then in great distress, when he met Edwards, who urged him to join the conspiracy, and was the cause of his being brought to his present situation. He concluded by saying, "I have a wife and four little children. I was driven to every distress. I hope, gentlemen, before you find a verdict, this man will be brought forward, because I consider myself a murdered man. Edwards came to me. I did not go to him. I was once at a public-house in Brooks-court; but I never was at any meeting at all. I was at no radical meeting. I was not at any Smithfield meeting. That man, Adams, who has got out of the halter himself by accusing others falsely, would hang his God. I would sooner die, if I had 500 lives, than be the means of hanging other men.

The Attorney-general replied for the Crown.—Chief-Justice Dallas summed up.—Verdict—*Guilty*.

Monday, April 24.

TRIAL OF BRUNT.

At nine o'clock the Chief-Baron, Mr. Baron Garrow, and Mr. Justice Richardson, took their seats.

The *Attorney General* stated the case.

The evidence was substantially

the same as in the two former cases.

The proceedings were in the evening adjourned till the next day.

Mr. *Curwood* rose to address the jury on the part of the prisoner, and was followed by Mr. *Adolphus*.

Brunt then rose, and with a firm voice, stated the origin of his acquaintance with the witness, Adams, and attempted to impeach the whole of the witnesses, who had appeared against him. He alluded to a person (*Edwards*) in the list of witnesses on the part of the Crown, whose name had often been mentioned in the course of these proceedings, but who had not been called upon. He declared that he had been seduced by this man, and had often received refreshment of meat and drink at his expense. Whatever might be his fate, he would not die unworthy a descendant of the Ancient Britons.

The jury retired, and in about ten minutes returned with a verdict of *Guilty* on the third and fourth counts.

Wednesday, April 26.

TRIALS of TIDD and DAVIDSON.

The witnesses for the Crown were examined in nearly the same order as on the trial of *Thistlewood*; and nothing new was elicited by their evidence.

The trials were in the evening adjourned to Thursday, April 27.

Several persons came forward and gave evidence as to the general good characters of the prisoners at the bar.

Mr. *Adolphus* then proceeded to speak on the part of the prisoners.

William Davidson, on being

asked if he wished to say any thing in his defence, said, that he had a numerous family looking to him for support. He then, laying his hand upon his heart, declared his entire innocence of the crime imputed to him: he stated, that because he was a man of colour, it did not follow that he was a monster in the creation, void of feeling and understanding. He quoted from Pope's *Universal Prayer*, and also referred to the passage concerning false witnesses, which he delivered from the Bible. He had known Lord Harrowby for many years; and should have shuddered at the idea of joining in any plot in which his life was concerned. He concluded by requesting the jury to weigh well in their minds the facts before them, and if it was their opinion that he was guilty of the crime laid to his charge, he should most willingly submit to their decree.

Richard Tidd now entered into a detail respecting his having been brought into his awful situation by the machinations of *Edwards*. *Edwards* conducted him to Cato-street, and in about a quarter of an hour the officers entered. He finished by a declaration of his total ignorance of the plot, and therefore of his consequent innocence.

The *Attorney General* replied, and Mr. Baron *Garrow* summed up the evidence. The jury retired at eight o'clock for more than half an hour; and on their return pronounced against both prisoners—*Guilty* upon the third count, levying war against the king.

Mr. *Curwood*.—I believe your lordship was not in court when the prisoner *Wilson* was arraign-

ed; he pleaded a misnomer. My humble motion is, that Wilson may now be permitted to withdraw that plea, that he may plead *de novo* to the indictment.

Mr. Baron *Garrow*.—Do you wish that to be done to-night?

Mr. *Curwood*.—If your lordship pleases.

Mr. *Attorney General*.—I do not object, my lord.

Mr. Baron *Garrow*.—Let the prisoner Wilson be put to the bar.

The prisoner *Wilson* was placed at the bar, and on being addressed as James William Wilson, he answered to that name.

Clerk of the Arraigns.—James William Wilson, you stand indebted for high treason, are you guilty or not guilty?

Wilson.—Guilty.

Mr. *Walford*.—My lord, on the part of the remaining five prisoners, Harrison, Bradburn, Strange, Cooper, and Gilchrist, I am instructed to make a similar application.

Mr. *Broderick*.—My lord, being assigned as counsel for the prisoners at the bar, I beg to add, that I fully concur in the application of my learned friend.

The prisoners severally desired to withdraw their former plea, and on its being withdrawn, pleaded Guilty.

Mr. *Shelton* then asked Thistlewood what he had to say why sentence of death should not be passed upon him.

Thistlewood thus addressed the Court:—

“My lords;—I am asked, my lord, what I have to say that judgment of death should not be passed upon me according to law. This to me is mockery; for were the reasons I could offer, incon-

trovertible, and were they enforced even by the eloquence of a Cicero, still would the vengeance of my Lords Castlereagh and Sidmouth be satiated only in the purple stream which circulates through a heart more enthusiastically vibrating to every impulse of patriotism and honour, than that of any of those privileged traitors to their country, who lord it over the lives and property of the sovereign people with barefaced impunity. The reasons which I have, however, I will now state—not that I entertain the slightest hope from your sense of justice, or from your pity. The former is swallowed up in your ambition, or rather by the servility you descend to, to obtain the object of that ambition—the latter I despise. Justice I demand. If I am denied it, your pity is no equivalent. In the first place,

“I protest against the proceedings upon my trial; which I conceive to be grossly partial, and contrary to the very spirit of justice; but, alas! the judges who have heretofore been considered the counsel of the accused, are now, without exception, in all cases between the crown and the people, the most implacable enemies of the latter. In every instance the judges charge the jury to find the subject guilty; nay, in one instance, the jury received a reprimand, and that not in the genteel terms, for not strictly obeying the imperious mandate from the Bench.

“The Court decided upon my trial to commit murder rather than depart in the slightest degree from its usual forms. Nay, it is with me a question, if the form is usual which precluded me

from examining witnesses to prove the infamy of Adams, of Hiden, and of Dwyer. Ere the solicitor-general replied to the address of my counsel, I applied to the Court to hear my witnesses. The Court inhumanly refused, and I am in consequence to be consigned to the scaffold. Numerous have been the instances in which this rule of court has been infringed; but to have infringed it in my case would have been to incur the displeasure of the Court, and to forfeit every aspiring hope of promotion. A few hours hence and I shall be no more; but the nightly breeze which will whistle over the silent grave that shall protect me from its keenness, will bear to your restless pillow the memory of one who lived but for his country, and died when liberty and justice had been driven from its confines by a set of villains, whose thirst for blood is only to be equalled by their activity in plunder. For life, as it respects myself, I care not; but while yet I may, I would rescue my memory from the calumny which I doubt not will be industriously heaped upon it, when it will be no longer in my power to protect it.

“ I would explain the motives which induced me to conspire against the ministers of his majesty, and I would contrast them with those which these very ministers have acted upon in leading me to my ruin.

“ Many people who are acquainted with the barefaced manner in which I was plundered by my Lord Sidmouth, will, perhaps, imagine that personal motives instigated me to the deed; but I disclaim them. My every principle was for the prosperity of

my country. My every feeling,—the height of my ambition was the welfare of my starving countrymen. I keenly felt for their miseries; but when their miseries were laughed at, and when, because they dared to express those miseries, they were inhumanly massacred and trampled upon, my feelings became too intense, too excessive for endurance, and I resolved on vengeance—I resolved that the lives of the instigators should be the requiem to the souls of the murdered innocents.

“ In this mood I met with George Edwards. This Edwards, poor and penniless, lived near Picket-street, in the Strand, some time ago, without a bed to lie upon, or a chair to sit in. Straw was his resting place; his only covering a blanket. Owing to his bad character, and his swindling conduct, he was driven from thence by his landlord. It is not my intention to trace him through his immorality—suffice it to say, that he was in every sense of the word a villain of the deepest atrocity. His landlord refused to give him a character. Some short time after this, he called upon his landlord again; but mark the change in his appearance—dressed like a lord, in all the folly of the reigning fashion. He now described himself as the right heir to a German Baron, who had been some time dead; that Lords Castlereagh and Sidmouth had acknowledged his claims to the title and property, had interfered in his behalf with the German government, and supplied him with money to support his rank in society. From this period I date his career as a government spy.

“ He got himself an introduction to the Spenceans—by what

means I am not aware of—and thus he became acquainted with the reformers in general. When I met with Edwards after the massacre at Manchester, he described himself as very poor; and after several interviews, he proposed a plan for blowing up the House of Commons.

* * * * *

“ I had witnesses in court, who could prove they went to Cato-street, by appointment with Edwards, with no other knowledge or motive than that of passing an evening amongst his friends. I could also have proved that subsequent to the fatal transaction, when we met in Holborn, he endeavoured to induce two or three of my companions to set fire to houses and buildings, in various parts of the metropolis. I could prove that subsequent to that again, he endeavoured to induce men to throw hand grenades into the carriages of ministers as they passed through the streets; and yet this man, the contriver, the instigator, the entrapper, is screened from justice and from exposure, by those very men who seek vengeance against the victims of his and their villainy. [The prisoner here entered into a long justification of assassination, in the course of which he was frequently interrupted by the Chief-justice.]

“ High treason was committed against the people at Manchester, but justice was closed against the mutilated, the maimed, and the friends of those who were upon that occasion indiscriminately massacred. The Prince, by the advice of his ministers, thanked the murderers, still reeking in the gore of their victims. If one spark of honour, if one spark of inde-

pendence still glimmered in the breasts of Englishmen, they would have risen as one man; insurrection then became a public duty, and the blood of the victims should have been the watch-word for vengeance on their murderers”—

Chief-Justice.—We cannot permit this.

Thistlewood.—“ My lords, a few words more. Albion is still in the chains of slavery---I quit it without regret---I shall soon be consigned to the grave---my body will be immured beneath the soil whereon I first drew breath. My only sorrow is, that the soil should be a theatre for slaves, for cowards, for despots. My motives, I doubt not, will hereafter be justly appreciated. I will, therefore, now conclude by stating, that I shall consider myself as murdered, if I am to be executed on the verdict obtained against me, by the refusal of the Court to hear my evidence. I could have proved Dwyer to be a villain of the blackest dye, for, since my trial, an accomplice of his, named Arnold, has been capitally convicted at this very bar, for obtaining money under circumstances of an infamous nature.

“ I seek not pity; I demand but justice; I have not had a fair trial, and upon that ground I protest that judgment ought not to be passed against me.”

Mr. *Shelton* next addressed himself to Davidson, and put to him the same question.

Davidson spoke an address of some length, of which the following was the purport:—

“ My lords;—I stand here helpless and friendless. I endeavoured to show that the evidence against me was contradictory and incre-

dible, and I hoped I had made an impression on the gentlemen in the box ; but the moment I was done, the attorney-general got up, and told them that the evidence was pure and uncontaminated, and to this I may add, that Mr. Baron Garrow almost insisted that they should pronounce me guilty. But even supposing, for the sake of argument, that the lives of his majesty's ministers were threatened, it did not follow that this was to extend to the king himself. In a passage of Magna Charta, it was ordained that twenty-five barons should be nominated to see that the terms of the charter were not infringed ; and if it was found that his majesty's ministers were guilty of such infringement, then four barons were to call upon them for redress. If this were not granted then the four barons were to return to their brethren, by whom the people were to be called together to take up arms, and assert their rights. Such an act was not considered in old times as an act of treason towards the king. I was entrapped by Goldworthy and Edwards, in order for some private purposes of their own, that they might have my life sworn away. I have no objection to tender my life in the service of my country ; but let me at least, for the sake of my children, save my character from the disgrace of dying a traitor. For my children only do I feel, and when I think of them I am deprived of utterance—I can say no more.”

James Ings was next asked what he had to say why he should not receive judgment to die? He replied, “ I have very little to say. My abilities will not allow

me to speak. If Mr. Edwards had not got acquainted with me I should not be here ; he came to me, unfortunately, when I had no business, nor no means of getting a living for my family. It is only through Edwards that I shall lose my life. I do not mind dying, if you will let that man come forward, and die with me on the scaffold. It was through him that I was going to do that which I must allow, was of a most disgraceful and inhuman nature. On the other hand, his majesty's ministers conspire together and impose laws to starve me and my family and fellow-countrymen : and if I was going to assassinate these ministers, I do not see that it is so bad as starvation, in my opinion, my lord. The Manchester Yeomanry rode in among, and cut down men, women, and children. They had their swords ground, and I had a sword ground also. I shall suffer, no doubt ; but I hope my children will live to see justice done to their bleeding country.”

John Thomas Brunt was next called upon, and spoke:—

“ My lords and gentlemen ; I am precluded from saying much. Whatever impression I made on the jury yesterday was knocked down by the solicitor-general, who appears to me, by his sophistical eloquence to be capable of making the worst of crimes appear a virtue. Of all the infamous characters on earth, Edwards is the worst ; and yet he has been kept altogether out of the view of the court. He it was that furnished the arms, and he it was that goaded us on to our own ruin.” He next adverted to the conduct of Lords Castlereagh and Sidmouth ; they, he said, had

been the cause of the death of millions, and although he admitted he had conspired to put such men out of the world, still he did not think that amounted to high treason. In undertaking to kill Lord Castlereagh, Lord Sidmouth, and their fellow ministers, he did not expect to save his life—he was determined to die a martyr in his country's cause, and to avenge the innocent blood shed at Manchester. In conclusion, he said he was willing to suffer for the acts which he had contemplated; but it grieved him to think that he was to suffer for a crime of which he was innocent, namely, high treason."

The prisoner spoke with great vehemence.

Richard Tidd was the next called upon. He spoke as follows:—"All I can say is, and I positively swear it, that the evidence that has come before you, with the exception of that of Captain Fitzclarence, is utterly false."

James Wilson, John Harrison, and John Shaw Strange said a few words each.

James Gilchrist.—"On the Wednesday evening at four o'clock I knew nothing about this business. I was going to look for work, and I had neither money nor bread. So I went to what I was told was to be a supper of Radicals. [Here the prisoner was overcome by his feelings.] At six o'clock I met C. Cooper, who was the only man I knew, and I borrowed a half-penny of him, which, with another, enabled me to get a pennyworth of bread, and this I eat very sweet. I wish I may never come out of this place if I tell false. We then went into the stable and up stairs, where there was some bread and cheese. I took an old sword and hewed down the loaf,

of which others, who were as hungry as me, partook. I then asked what all these arms were about, and when I heard, I was so shocked, that I determined to get away as fast as I could. I served my king and country for twelve years, and this is the recompence. Oh, God! I have nothing more to say.

[Here the prisoner stood back in an agony of tears.]

Charles Cooper protested his innocence.

Lord Chief-Justice *Abbott* pronounced sentence in the usual form.

The prisoners were then removed from the bar. They did not seem much affected, but departed with great firmness and resignation.

At the sitting of the Court on Monday the 24th, Mr. Attorney-general submitted a complaint to the Lords Commissioners, stating, that a person named Clement had violated their lordships' order, by publishing in a Sunday newspaper, called "*The Observer*," the whole of Thistlewood's trial, and the earlier part of the trial of Ings. The Court did not take any step upon the complaint, which was not pressed farther on that day.

At the rising of the Court on Tuesday, Mr. Attorney-general again urged his complaint, tendering two affidavits of the facts, and moving for a rule for Mr. Clement to show cause why he should not be punished for the contempt. A rule was granted that William Innel Clement should attend the Court on Friday.—On Friday, however, Mr. Clement failed to attend, and at the close of the proceedings Mr. Attorney-general produced an affidavit of the service of the rule; upon

which the Court adjudged, that Mr. Clement should pay a fine of 500*l.* for the contempt of which he was guilty, in publishing the proceedings contrary to the order of Court.

On Saturday the 29th, a privy council was held to receive the report of the proceedings under the special commission, at which his majesty and all the cabinet ministers were present; the judges who tried the prisoners also attended. The common sergeant having read over his notes, the council, after two hours deliberation, resolved that the execution of Arthur Thistlewood, John T. Brunt, James Ings, William Davidson, and Richard Tidd, should take place on Monday the 1st of May, and that the six remaining prisoners should be respited during his majesty's pleasure. Mr. Brown, the governor of Newgate, received the death-warrant at seven o'clock in the evening, and immediately went to the condemned room, in which were sitting those who were ordered for execution, attended by eight officers. When he entered, they rose in the most respectful manner. He held in his hand the Recorder's warrant, of the contents of which they seemed conscious.

Thistlewood immediately (and in the calmest manner)—“The sooner we go, sir, the better. Our wish is to die as soon as possible.” The others expressed the same sentiments.

Mr. *Brown*.—“If you wish to have the assistance of a clergyman of any persuasion, let me know it, and I shall apply to the authority by which I am convinced you will not be refused.”

Not a word was uttered by any one of the prisoners.

During nearly the whole of the night preceding their execution, the wretched men slept soundly, and were only awakened by the unbarring of their cell doors to admit the Ordinary, whose zeal to convert them from their avowed tenets of deism, prompted him to visit the gaol in the dead of the night. Here he found them in their separate cells, and went to each, urging every pious argument to reclaim them to the paths of Christianity. On *Thistlewood*, *Tidd*, *Ings*, and *Brunt*, however, his arguments were unavailing; but on *Davidson*, his endeavours were crowned with success, and in the most fervent manner this unfortunate man joined in prayer with Mr. Cotton. The cells in which these delinquents were confined, though separated with strong walls of stone, were not sufficiently detached to prevent them from speaking to each other, and *Ings*, speaking during the night of the approaching awful exhibition they were to make, remarked to another of his companions, with savage disappointment, “that there would be plenty of persons present, but d—n the —, they had no pluck.”

At five o'clock this morning, Mr. Cotton came again to the gaol, and proceeded to the condemned cells, with the elements of the Sacrament, which was administered to and received by *Davidson*, with the utmost devotion. The reverend gentleman offered the same consolation to the other culprits, who, however, refused his proffered assistance. *Brunt* partook of the wine offered to him, but only for the purpose of drinking the king's health, which he appeared to do cor-

dially. Davidson also drank his majesty's health.

On the arrival of the sheriffs and their attendants in the press-yard, the culprits were brought out, and from the disposition evinced by four of them, it was deemed prudent their arms should be pinioned in the usual way before their irons were struck off.

The arrangement being completed, the procession advanced through the dark passages of the gaol, led by the sheriffs and under sheriffs.

Thistlewood came first, with his eyes fixed, as it were, abstracted in thought, and apparently lost to his situation.

Tidd walked next, and seemed somewhat affected by his situation. He tried, however, to assume an indifference to his fate, and was frequently rallied by *Ings* for his depression.

Ings came next, laughing without reserve.

Brunt next advanced, and with a sullen and morose air, surveyed the officers who were conducting him to his fate.

The unhappy *Davidson* came last, with clasped hands and uplifted eyes, praying most devoutly; and the officers of the gaol closed the procession.

On their arrival at the Lodge, leading to the scaffold, a moment's pause took place, while the dreadful apparatus of death was adjusted without.—*Thistlewood*, who stood first, clasped his lips, and with a frown surveyed, from the door-way in which he stood, the awful preparation for his fate.

Tidd was next summoned to the scaffold.

Ings seized *Tidd's* hand at the moment he was going out, and

exclaimed, with a burst of laughter, "Give us your hand! Good bye!"

A tear stood in *Tidd's* eye, and his lips involuntarily muttered, "My wife and ———!"

Ings proceeded—"Come my old cock-of-wax, keep up your spirits, it all will be over soon."

Tidd immediately squeezed his hand, and rushed towards the stairs leading to the scaffold. He was received with three cheers from the crowd, in which he made a faint effort to join.

In the interim, *Davidson*, who had not yet come out, leaned with his back against a dresser in the Lodge, and continued with his hands clasped praying in the most fervent manner, and calling with unfeigned and unreserved piety for the intervention of the Redeemer. *Brunt* and *Ings*, however, continued the same hardihood that they had manifested throughout, and continued venting their thoughts in unreserved ejaculations.

A humane individual who stood by, remonstrated with *Brunt* again, and beseeched him to ask pardon of God.

Brunt with a fierce, and savage air, surveyed his adviser contemptuously, and exclaimed,— "What have I done? I have done nothing! What should I ask pardon for?"

"Well done, *Brunt*!" exclaimed *Ings*, and was proceeding to sing

"Oh! Give me death or liberty." when he was summoned to the scaffold. He turned to *Brunt*, and with a smile upon his countenance, shook hands with him prepared to go. While the hatch was opening, he exclaimed, with a loud voice, "Remember me

to king George the 4th, God bless him, and may he have a long reign." He now recollected that he had some clothes left behind, which he requested might be given to his wife. The wretched man had thrown off the clothes in which he had been tried, and had put on an old butcher's slaughtering jacket, determining, as he said, that "Jack Ketch should have no coat of his."

While he stood on the edge of the steps, at the door of the gaol, he said to Davis, one of the turnkeys, "Well, Mr. Davis, I am going to find out this great secret;" and then springing upon the scaffold, exclaimed, "Good bye, gentlemen! Here goes the remains of an unfortunate man."

Brunt now stood by himself, and muttered about the injustice of his fate; but he appeared to wish to ascend the scaffold next.

Davidson, however, was summoned before him.

Brunt now appeared considerably irritated. "I suppose," said he, "they are afraid I should say something to the people, because I spoke my mind on the trial."

The composure of *Davidson*, particularly on Sunday, on taking leave of his wife, was of the most extraordinary description. He declared that this day would be the happiest of his life.

The conduct of *Ings*, too, violent and hardened as it had been, was interrupted once by something like a feeling of nature. On entering the Lodge, before he ascended the scaffold, some person told him to be firm, when he ejaculated, "Firm! I am firm; but we have children, Sir!"

The last act of *Brunt* was to take a pinch of snuff from a paper which he held in his hand. He

stooped to put it to his nose, and this he was only able to effect, by pushing up the night-cap which hung over his face. He also threw off his shoes.

Ings, when the handkerchief was tied over his eyes, cried out, "I hope, Mr. Cotton, you will give me a good character!" Mr. Cotton bowed. *Ings* then commenced swinging about in his hand an old night-cap, in the most careless manner.

Tidd's lips were in motion just before he was turned off, as if in prayer. *Davidson* was in the most fervent prayer.

Exactly half an hour after they had been turned off, the order was given to cut the bodies down.

The ceremony of decapitation provoked a lively expression of horror and disgust from the assembled multitude.

The execution occupied an hour and eight minutes. It was a quarter before eight when *Thistlewood* walked up the steps leading to the fatal platform; and it wanted seven minutes to nine when the head of *Brunt* (the last exhibited) was placed in the coffin.

The streets in the neighbourhood of the dismal spectacle were lined with a strong cavalry force; and a very considerable addition of military of all arms, was made to the usual garrison of the metropolis during the trials and up to the end of the execution.

CHESTER.

The King v. Harrison, for Seditious Words.

APRIL 18.

The indictment in this case charged that the defendant, Joseph Harrison, being an evil disposed person, did, upon the

15th of August, 1819, unlawfully and seditiously, with intent, &c. utter the following words: "That the government had starved the people; and that it was right that the people should starve the government." "That it is necessary for the consent of all three of the estates, King, Lords, and Commons, to make laws, which cannot afterwards be altered but by the same consent." "That the Commons House was the house of assembly of the people, where their rights should be protected; but that, when the people asked for their rights, they threatened to make war upon them." "Can laws proceeding from such a source be called the laws of the land? Or is it fit that we should obey them?"

Mr. *Benyon*, for the Crown, stated, that he should be very brief in his address. The day upon which those expressions were stated to have been used was upon the 15th of August, 1819, one day previous to the celebrated meeting at Manchester. Mr. Harrison, the defendant, was preaching a sermon—a sermon in which there had been, as the jury would find, a great deal of sedition, and but little religion. A Mr. Cowper had taken notes of what he had heard, and he would be called before the Court. If the jury believed Mr. Cowper, they would say that the defendant had uttered the words imputed to him: and more sedition, in the same compass, he (the learned counsel) had never heard.

Matthew Cowper examined by Mr. Manly.—Is a public accountant in Manchester. On the 15th of August (Sunday) went to Stockport, to attend a lecture advertised at the Windmill-rooms upon that day. When he got there, found Mr. Harrison preaching

to a large concourse of persons. Harrison had begun preaching before witness could get into the room, therefore he had not heard the beginning of his discourse.

By the Court.—Thought a thousand persons must have been present. The room was very much crowded.

Witness went there on purpose to take notes. Was instructed by the magistrates of Manchester to do so. Could not take notes in the room on account of the crowd. Took his notes at the Bulkeley-Arms, within a quarter of an hour after he left the room. The first head on which he heard Mr. Harrison lecture was upon the propriety of living soberly. Under that head Harrison called upon the friends of reform generally to abstain from the use of tea, coffee, tobacco, and other excisable articles: that, defendant said, was the only sure way of causing the reform which they sought. Harrison added, "The government have starved the people; and, therefore, it is fit that the people should starve the government." That ended the discourse upon the head of sobriety. The next head was on the advantage of living righteously. Mr. Harrison said the word righteously applied as well to the rich as to the poor; to the governors as to the governed. He then stated that the constitution of England consisted of King, Lords, and Commons. He added, that it was necessary for all the three estates to make laws, which could not be altered but by the same consent; that the Commons House was the house of assembly of the people, where their rights ought to be protected; but when people asked for their rights, they threatened to make war. He added, Can laws proceeding from such a source be considered the law of the land, or is it fit we should obey them? Witness was at Manchester next day. There were 100,000 people at that meeting (the Manchester meeting). Stockport is only six miles distant from Manchester.

Several other witnesses proved the use of the same expressions by the prisoner.

Mr. *Harrison* addressed the Court in his defence. He might possibly have made use of some

of the words charged in that indictment; but if he had made use of all, in his opinion there would have been but little of sedition in his conduct. By the common law any thing might be construed into sedition—

“For learned lawyers, at their ease,
“Twist words and phrases as they please.”

He could not take up his Bible and read three chapters without uttering something which might be called seditious. If persons were to be prosecuted for preaching, the best days of old England were over—they were gone—they were fled. He should not be long alone. He should have company enough. As long as money was to be got by informers, there would be no want of prosecutors or of prosecutions. At the last trial he had entertained no hope of acquittal. The attorney-general had on that occasion pleaded hard against him; but it was his duty to his employer. The learned judge had summed up hard against him; but he, too, must please his employers.

The *Chief Justice*.—I have no employers, Mr. Harrison, and you know that well. What I said, upon the occasion to which you allude, I said, because I thought it. Go on in your defence, but confine yourself within the bounds of decency. The Court cannot permit reflections to be cast upon persons sitting in this place.

Mr. *Harrison* could take the hint. That which he had said, he also had said because he thought it. Times had been when bills of indemnity could not protect the guilty. Empson and Dudley had been hanged with their bills of

indemnity about their necks. The prisoner went on in the same strain for some time, and then proceeded to make a selection from the Scriptures, of passages capable of a seditious application—he next entered into a history of himself. His father, he said, who was a minister of the Gospel, residing in Yorkshire, had been a steady Whig. He had been a disciple of Charles James Fox; and from the Whigs it was that he, the defendant, had learned his politics.

Stanley Harrison, John Burgess, Robert Jump, and Randall Wilkinson deposed to the loyal tendency of the sermon which formed the subject of the indictment.

Mr. *Benyon* replied.

The *Chief Justice* then proceeded to sum up the evidence.

The jury considered for about five minutes, and returned a verdict of—*Guilty*.

SECOND TRIAL.

The *Attorney General* said, this was an indictment for misdemeanor against the defendant.

Harrison.—I shall certainly challenge the whole jury, my lord.

The *Chief Justice*.—If you do, you must assign a reason for it.

Harrison.—My lord, they have found me guilty on one indictment, which I thought they could not do, and I think that is a sufficient reason why they should not try me again.

The *Chief Justice*.—That is not a legal reason, sir.

The *Attorney General*.—My lord, we will get a fresh jury if the defendant wishes; I have no objection.

The *Chief Justice*.—Well, do so. You act very fairly.

A jury having been called, *Harrison* said he objected to *George Edwards*.

The *Court*.—What is your objection?

Harrison. — I challenge peremptorily, my lord.

The *Court*.—That will not do. You might do so on a trial for treason or felony, but not for misdemeanor.

Edwards was sent off, and another juryman sworn in his place.

Mr. Manly opened the proceedings. He stated this to be an indictment against the defendant for using the following words seditiously, and with a view to bring the government into contempt:—"Kings, Princes, Dukes, Lords, Commons, Parliaments, Archbishops, Bishops, Prelates, Rectors, High-Constables, Constables, Sheriffs, Deputy-Constables, and Bailiffs, are all corrupt, and the time is near at hand when they will be upset. The people should rise *en masse* to suppress such a tyrannical government as the one of this country; and it will not be long, but very soon, that it shall be overturned, and many a bloody battle may be fought, and many a one incarcerated in prison, before it shall be accomplished."

The words were charged to have been employed by the prisoner, in an evening sermon on the 5th of December, 1819. The case was proved by *Mr. John Robinson*, who, as the prisoner observed, was very drunk, and who certainly provoked several reproofs from the Bench, and by *Mr. James Whalley*.

Here the case for the prosecution closed.

The prisoner made a long, rambling and very violent defence.

The learned judge summed up the evidence, and after about ten minutes deliberation, the jury returned a verdict of—*Guilty*.

The *Chief Justice* proceeded immediately to pass sentence on the defendant. The sentence of the Court was, that for the second indictment on which he had been convicted he should be imprisoned twelve calendar months in the common gaol. For the third indictment, he should also be imprisoned twelve calendar months, commencing from the expiration of the first term: and that at the termination of his imprisonment he should find two sureties for his good behaviour for two years, in 100*l.* each, and himself in 200*l.* and be further imprisoned till such security be found.

The defendant bowed to the Court, and was immediately taken into the custody of the keeper of the county gaol, *Mr. Hudson*. (*See his Trial, with Sir C. Wolseley, antè.*)

Case of Andrew Hardie, tried for High Treason at Stirling, July 13.

Mr. Jeffrey, the prisoner's counsel, objected to the right of sergeant *Hullock* to plead, and to the qualification of the sheriff to strike the jury. After a very learned argument, both those objections were overruled by the Court, and the jury was sworn.

The *Lord Advocate* then opened the prosecution. Having finished his address, the witnesses for the Crown were called.

John Rennie, a private in the Kilsyth troop of yeomanry.—He accompanied his troop, about the beginning of April, to a place called Bonnymuir, where were collected a number of people in arms, among whom was the prisoner Hardie and others now at the bar. [Here the witness identified them separately.] As soon as the troop was within gun-shot, they commenced firing upon the troops; but they at last succeeded in making them lay down their arms, and in apprehending the prisoners at the bar, whom they took to Stirling-castle. They made a great deal of resistance before they were apprehended; there were several shots fired.

James Hardie, esq., is sheriff depute of the county of Lanark: remembers on the first Monday of April last, that his attention was attracted by a crowd at a watchman's box, at the corner of Duke-street, Glasgow, who were listening to a man who was reading to them a paper aloud; and among the rest was Hardie, the prisoner at the bar. Upon coming to the spot he stopped and offered to pull it down, but Hardie got between him and the watchman's box and pushed him off. He told Hardie he was a magistrate, and that, as it was a most improper paper which they were reading, he must take it down. On this Hardie seized him a second time, and thrust him off, saying, he would lose the last drop of his blood before he would let him take it down; on which he desisted from his attempt. He identifies a paper shown him to be a copy of what he had read at the watchman's box. Remembers, on the day after seeing this address posted up, the town was filled with tumultuary crowds from one end to the other, and the people shut their shops about four in the afternoon. On Wednesday he saw a company of men walking through the streets in military order. In Bridgeton he saw about a hundred of these addresses pasted against the walls.

Archibald Buchanan is a change-keeper, at Castlecary; remembers a party of men coming to his house about six o'clock in the morning of the first Wednesday of April last. They were about 24 in number, and armed with various weapons, as sticks,

&c. They called for porter and wine, and some bread; after which Baird asked him if he would take his note for payment of the bill; and, on refusing, he paid him (the witness) 7s. 6d.

Alexander Robertson was a spectator of the skirmish which took place between the party at Bonnymuir and the king's troops. The men were sitting on a hill when the cavalry approached; and, on seeing them draw near, they pulled off their hats and waved them in the air, and then ran down to a dike (wall) at the foot of the hill, behind which they posted themselves in a stooping posture, and began to fire on the troops in an irregular manner. Is certain no shot was fired by the cavalry before the attack was made by these men; could see nothing afterwards but a cloud of smoke.

James Russell, *James Murray*, *William Grindlay*, *Nicol Hugh Baird*, and *Thomas Cook* were called for the purpose of identifying the arms captured at Bonnymuir, and detailing particular acts of violence committed by the prisoner and his accomplices, who stood with him at the bar.

Cook also produced a seditious hand-bill, which he had received from the party whom he met on their way to Bonnymuir.

Lieutenant *Hodgson* was then called, and deposed, that he set out with a party of military for Bonnymuir, on the 5th of April last. After they had got near that place, they saw a party of men armed, apparently with long sticks, at a short distance. Upon approaching them they ran down from a hill where they stood, and stationed themselves behind a wall. He thought the main body of them might have escaped if they chose. When they were about 50 yards from them, they fired two or three shots at their party. Their arms consisted principally of pikes. He advanced to them, and bade them five or six times to lay down their arms; and, on their ceasing to fire, he ordered his own party to cease firing also: they did not, however, lay down their arms; and, on his passing to the other side of the wall, one, who appeared to be their leader, presented a short musket at him; on which he (the witness) flashed his own pistol at him. He cannot say whether Baird

drew the trigger of his musket at him or not; two men thrust at him with pikes at the same time. He was wounded on the hand, and his horse killed. The serjeant of the 10th Hussars was also wounded. He remembers others in the battle besides Baird, viz. Hardie, Murchin, Gray, Hart, and Johnston. Baird appeared to be more active than the rest, and also to be better dressed.

Lieutenant *John James Davidson* was along with Mr. Hodgson. This witness corroborated the testimony of the last.

Alexander Cou tts identified Baird and Hardie as two of the party at Bonnymuir.

The evidence being closed, the declaration of the prisoner was sworn to have been freely emitted. After it had been read, the clerk of arraigns was proceeding to lay before the jury the contents of the address which Mr. Hardie, the sheriff-depute, deposed to as being the same as the one he heard read at the corner of Duke-street; when

Mr. *Jeffrey* rose, and objected to this proceeding, on the ground that Mr. Hardie had not given sufficient evidence of his being certain that this was an exact copy. The learned counsel also objected to the reading of the hand-bill which serjeant Cook received. Both objections were repelled.

Mr. *Jeffrey* then rose and addressed the jury on behalf of the prisoner Hardie, in a speech of great length. The learned counsel admitted, that the prisoner was chargeable with great guilt; and did not pretend to dispute that he had been taken in arms, for the purpose of resisting the laws, but this he said was not high treason. A party of men may assault the king's forces from various motives apart from treasonable ones. They may assault them from motives of re-

venge for personal or public wrongs, unconnected with any thing political; from some cause originating in a private quarrel; from zeal to avert an arrest, or from a hundred other reasons altogether unconnected with a treasonable purpose—no doubt many of them criminal in a high degree; but none of them involving the crime of high treason. There was, he said, no instance that would illustrate this so well as the case of smugglers, by whom attacks are often made upon the king's troops in the prosecution of their illicit traffic; and, so far from any attack of this kind involving treason, in by far the greatest number of cases where resistance to the military takes place, there exists a private motive, altogether apart from the least tincture of a treasonable design. All knew that, at the period these riots took place, many alarms were propagated, and numerous plunders and attacks took place, and multitudes went about armed. Now, in such an agitated state as this, why should they attribute a circumstance so natural and common as this to a design and attempt to levy war against the king, and that for the purpose of overturning his government, or making him change his measures, when there are so many other suppositions within the range of probability? If the prisoner at the bar had been proven to have made a speech approving the tenor of the seditious bill, or that he adopted it as his creed, or that he attended committees, and so forth, Mr. *Jeffrey* said, he should now tremble for his fate; but of this there was no evidence. Besides, there was no legal proof

that the paper produced by Hardie was a copy of the one he heard read to the crowd, and attempted to pull down. Mr. Hardie (said the learned gentleman) comes forward at the time when one of the crowd is reading it, and offers to pull it down, saying he is a magistrate. The prisoner, eager with curiosity, is naturally incensed at such an interruption from a stranger, and pushes him off. It was absurd to suppose that a body of men, so inadequate in number to accomplish the treasonable purpose of deposing the king, or forcing him or his government to change his measures, should have been so mad as to engage in such a hopeless attempt. They seemed to avoid the military by all the means in their power—skulking past privately along the canal, and retiring to a desolate muir, where it would appear they intended to remain hid till it was dark, and skulk privately home again. I will now (said he) leave the prisoner in your hands, relying with confidence upon that internal advocate in your hearts, which will plead for this unhappy man much more powerfully than I can do, and which, I hope, will not now plead in vain.

The *Lord Advocate* replied, and the Lord President having summed up the evidence, and explained the law, the jury returned a verdict of—*Guilty*.

WARWICK ASSIZES—*August 3.*

Trial of Major Cartwright, Wooler, Edmonds, Lewis, and Maddocks.

This case was tried before the lord chief baron Richards. Four special jurymen attended, and

Mr. Sergeant Vaughan, who conducted the case on the part of the Crown, prayed a *tales*. Mr. Denman, who appeared as counsel for Edmunds and Maddocks, stated, that one of the special jurors struck, whose principles were supposed to be favourable to the defendants, had not been summoned; he therefore begged a delay of one hour, which was granted. At the expiration of the hour, Mr. Pearson, defendants solicitor, tendered an affidavit to the effect, that he had, by diligent inquiry, ascertained that the gentleman in question. (Mr. Peech of Idlecourt) had not been summoned. The undersheriff and his officer being examined on oath, negatived this statement.

Mr. *Denman* relying upon Pearson's affidavit, maintained that the panel was imperfect, and that the trial must be stayed in consequence. The objection was, however, overruled by the Court, as was also an objection urged by Mr. Hill, who appeared for major Cartwright, and by Wooler, who defended himself, arising out of the alleged non-indifference of the master of the Crown-office. These points were argued with great obstinacy by the defendants and their counsel; but the Court did not think any reply necessary on the part of the Crown. A jury being at length sworn, Mr. Balguy opened the indictment as follows:

The first count charged the defendants, George Edmonds, Charles Maddocks, John Cartwright, Thomas Jonathan Wooler, and William Greathead Lewis, with being malicious, seditious, and evil-disposed persons, and with unlawfully and maliciously

desiring and intending to raise and excite discontent and disaffection in the minds of the king's subjects, and intending to move them to hatred and contempt of the government and constitution as by law established, and of the Commons House of Parliament as by law established heretofore; to wit, on the 12th of July, 1819; and on divers other days and times, as well before as after, with force and arms, at Birmingham aforesaid, unlawfully, maliciously, and seditiously, did combine, conspire, and confederate with each other, and with divers other disaffected and ill-disposed persons, for the purposes above-mentioned, and unlawfully to nominate, elect, and appoint a person to be the representative of the inhabitants of Birmingham, and to claim admission into the House of Commons as a member thereof, neither they, the said defendants, nor the said other conspirators, nor the inhabitants of Birmingham, being then lawfully authorized to nominate, elect, or appoint any such representative. And that the defendants and various other persons, in pursuance of the said conspiracy, assembled to the number of 20,000, for the purpose of hearing diverse scandalous, seditious, and inflammatory speeches, resolutions, writings, concerning the government and the House of Commons, uttered for the purposes aforesaid.

The defendants, &c. so assembled, were charged with having uttered speeches of the above description for the purposes already stated. And that the said conspirators, in further pursuance, &c. did with a loud voice say, utter, and publish diverse

seditious, malicious, inflammatory matters and things of and concerning the government and constitution of this realm as by law established, and of and concerning the Commons House of Parliament as by law established, amongst other things in substance as follows, the said other conspirators joining with him in further pursuance, &c., that is to say—

Resolved, 4th, That a number of gentlemen, in whom this meeting confide, having stated that there has now for a year and a half past been before the public, published by E. Wilson, London, "A Bill of Rights and Liberties," for effecting a radical reform in the Commons House of Parliament, on the simple principles of voting for representatives, which is a common right, being exercised by all men of mature age and sound mind, who have not forfeited that right by any crime, the votes being given by ballot, and the representative body being renewed once a-year, it is the opinion of this meeting that the said bill ought to be adopted and passed into a law.

Resolved, 6th, That by putting on a new and equitable issue their just and undeniable right to a full enjoyment of the sacred laws, liberties, and free customs of their country, as largely and wholly as they ought to be enjoyed, the said inhabitants of Birmingham will now forthwith proceed to elect one gentleman in whom they can confide as their legislative attorney and representative, in whose person they will try the question of their right of parliamentary representation, and who shall be instructed to claim on their behalf admission

into the Commons House as a member thereof; and in the event of his being acknowledged and received as their representative, accordingly then and there to use his utmost endeavours towards obtaining equal and complete justice to the Commons of the realm, universally securing to them an annual election of legislative representation to be elected by ballot.

Resolved, 7th, That Sir Charles Wolseley be elected legislative attorney and representative of the inhabitants of Birmingham, instructed to claim on their behalf, by letter to the right hon. the Speaker of the House of Commons, admission into that House as a member thereof, as well as to communicate on the occasion the present and the foregoing resolve of this meeting, to be by the Speaker laid before the House.

And the said conspirators did aid and assist in causing and procuring one Sir Charles Wolseley, bart., to be then and there nominated and appointed the representative aforesaid, and to claim admission into the House of Parliament as a member thereof, neither of the said conspirators being in any manner lawfully authorized so to do.

Second count—charged the conspirators with devising and intending, as aforesaid, to traduce and vilify the government as by law established, and to raise and excite discontent and disaffection in the minds of his majesty's subjects, and to move them to hatred and contempt of the government and constitution of the country.

Fourth count—charged to the foregoing effect, and also unlaw-

fully nominating and electing a person to be representative of the inhabitants of Birmingham, and to claim admission into the House of Commons as a member thereof; and also for unlawfully meeting, to the number of 20,000 or more, for the purpose of hearing and passing diverse seditious and inflammatory speeches, resolutions, &c.

The 5th, 6th, 7th, 8th, and 9th counts charged to the same effect, and with conspiring and confederating to subvert the constitution as by law established.

Mr. Sergeant *Vaughan* stated the case for the Crown in a speech of great length; the learned sergeant cited a number of seditious passages from the speeches delivered, by the defendants, at the meeting which formed the subject of the indictment; they were of the same violent tendency as those quoted in Harrison's trials; but less whimsical, and of consequence, much less amusing. The following from Wooler's speech is a fair specimen:—"I would advise you to call the House of Commons 'the Mock Parliament' or 'the Usurpers of the People's Rights?' Why should they receive any other designation, when they passed the Corn Bill, and suspended the Habeas Corpus Act? Why should these sham Abrahams be called a House of Commons?"

Thomas Hunt, Clerk of the Peace, deposed to having received a letter, signed G. Edmonds, and J. Alcock, announcing the intention of electing a member of parliament for Birmingham, on the 12th of July.

W. Paine proved the hand-writing of G. Edmonds.

[A number of witnesses proved the publication of notices for the intended meeting by Edmonds and Wooler.]

James Boyce, with whom major Cartwright lodged in Birmingham, proved frequent conferences of all the defendants at the major's lodgings, on the day, or two days immediately preceding the day of meeting.

John Thorpe, a coachman, deposed to several of the defendants going together to the meeting.

Francis Johnson and Samuel Dickinson, deposed to the occurrences at the meeting, which they described as composed of nearly 20,000 of the lower orders: they detailed the part taken by the defendants, nearly as stated in the indictment, and repeated several seditious expressions, made use of by them.

Isaac Pemberton deposed to the same effect.

Thomas Pew, a chaise driver, proved, that immediately after the conclusion of the meeting, he drove major Cartwright, and Edmonds, to the seat of sir C. Wolseley, near Lichfield.

Mr. *Denman* addressed the Court at considerable length, for Edmonds and Maddocks.

Mr. *Hill* followed for major Cartwright.

SECOND DAY.

Mr. *Wooler* addressed the Court for three hours and a half.

Mr. *Pearson* (attorney) read a speech, composed for himself by major Cartwright, which occupied the Court four hours and a half.

Lewis also spoke at great length.

Mr. Sergeant *Vaughan* replied.

The learned judge summed up the evidence, and in twenty minutes the jury returned a verdict of Guilty against all the defendants. Three bills of exceptions were tendered on the part of different defendants; they all went upon the same grounds, namely, the two points raised at the commencement of the trial, and the refusal by the judge to

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allow Mr. Wooler to examine the four special jurors as they came to the book, with respect to any opinions they might respectively have expressed on the subject of the indictment.—[The discussion of this verdict occupied the Court of King's-bench during several subsequent terms; at length, however, in Easter 1821, the verdict was affirmed, and the defendants had judgment: Cartwright to pay a fine of 100*l.*, and the others to suffer different periods of imprisonment. The arguments, and particulars of the judgment will be found in our next Volume.]

Judicial Proceedings in the House of Lords, upon the Bill of Pains and Penalties, presented against Her Majesty QUEEN CAROLINE AMELIA ELIZABETH.

On the 6th of June, the earl of Liverpool presented to the House of Lords the following Message from the King:

“The King thinks it necessary, in consequence of the arrival of the Queen, to communicate to the House of Lords certain papers respecting the conduct of her majesty since her departure from this kingdom, which he recommends to the immediate and serious attention of this House.

“The King has felt the most anxious desire to avert the necessity of disclosures and discussions, which must be as painful to his people as they can be to himself, but the step now taken by the Queen leaves him no alternative.

“The King has the fullest confidence that, in consequence of this communication, the House of Lords will adopt that course

of proceeding which the justice of the case and the honour and dignity of his Majesty's Crown may require. *GEORGE R.*"

The Earl of Liverpool then laid on the table the papers referred to in his majesty's message. They were contained in a green bag.

On the 7th of June, the House agreed to refer the papers sent with his majesty's message to a Secret Committee of 15 Peers.

On the 8th of June, the following Peers were appointed by ballot, to constitute the Secret Committee: the Archbishop of Canterbury, the Lord Chancellor, the Lord President of the Council, the Duke of Beaufort, the Duke of Northumberland, *the Marquis of Lansdowne*, *the Marquis of Buckingham, the Earl of Liverpool, the Earl of Donoughmore, Earl Beauchamp, Viscount Sidmouth, the Bishop of London, Lord Redcliffe, *Lord Erskine*,* and the Earl of Lauderdale.

In consequence of a negotiation instituted by the House of Commons [See the Historical part of this work, and the Chronicle, page 240] the meeting of the Secret Committee was postponed by repeated adjournments; but the negotiation having failed, the following petition was presented by lord Dacre, on the 26th of June.

"CAROLINE Regina;

"To the Lords Spiritual and Temporal;

"The Queen having been informed, that proceedings are to be adopted against her in the

House of Lords, by means of a Secret Committee, she feels it necessary to appeal to the Lords as a subject of the realm. She is advised that, according to the forms of the House, the course adopted will be a Secret Inquiry. She protests against any Secret Inquiry—yet, if the House will proceed in that way, she declares, in such an unconstitutional course she has nothing to fear, unless it is in the absence of her witnesses, who will defeat the machinations of her enemies. If the House of Lords will allow nothing but a Secret Inquiry, she begs it may not take place before the arrival of her witnesses necessary to develop the whole. She asks for no delay in the inquiry; but the Queen cannot suppose the House of Lords will authorize a Secret Inquiry into her conduct, when her advisers are unable to provide for her defence by the examination of witnesses, which cannot arrive in time from the continent. The moment the evidence arrives she will entreat the House of Lords to proceed in any way conducive to the interests of justice; but in the mean time her majesty desires to suspend the proceedings, and to be heard by her counsel this day at the bar."

On the motion of lord Dacre, her majesty's counsel were called in; and Messrs. Brougham, Denman, and Williams, appeared at the bar.

Mr. *Brougham* assured the House that the Queen asked no delay of judgment, as doubtful of the strength of her case, or of their lordships justice, but he submitted that all the forms of justice would be set at defiance, if the process of inquiry were

* The Marquis of Lansdowne and Lord Erskine declined acting, and the Earl of Hardwicke and Lord Ellenborough were substituted in their room.

precipitated in the absence of the Queen's witnesses — witnesses not only necessary to rebut a single charge, but to enable him, even to cross-examine the wretches, he begged pardon, the personages whose evidence had been thrown into the sealed bag. He urged that the practices of the persons employed in collecting this testimony, as well as the characters of the witnesses, demanded of him to exercise the most vigilant precaution. He implored their lordships to reflect upon the three safeguards of which an English gentlewoman might avail herself, if cast in the peril of such an inquisition upon her conduct, for a long series of years.

1st, The obligation of an oath, binding in fact, as well as in form, the consciences of those who were to appear against her.

2ndly, The perfect knowledge of the characters of the witnesses possessed by the accused, by the judge, and the public, which, through the press, would be able to appreciate and pronounce upon their conduct in the witness box.

3rdly, A compulsory process to bring witnesses for the defence.

Of all these safeguards of innocence, was the Queen destitute in the present case, and all the witnesses against her were either by religious observances, or other circumstances, of such a description, that there was no noble lord who heard him, though endued with the heroism of the great captain in whose presence he spoke (the duke of Wellington), but would shrink back with terror, if he thought one speck of

such evidence was to be directed against his wife or daughter.

It was therefore his duty to repress the eagerness with which her Majesty, in the consciousness of her innocence, urged her law officers to proceed at once with the investigation.

Until his witnesses arrived, he could not become sufficiently acquainted with the habits and character of the witnesses against his illustrious client, to cross-examine them to any useful purpose.

Of some of the accusing witnesses, he knew enough to make him exceedingly desirous of a more intimate acquaintance with the rest. One, for example, had been dismissed the Queen's service for stealing 400 Napoleons, as he could prove by the evidence of a British naval-officer. And this knowledge should rather stimulate than relax his exertions in pursuit of information of the same kind.

He submitted that at some stage of the trial, their lordships would feel bound to allow the Queen some delay to bring forward her witnesses, and that the present was the most eligible period on every account.

In conclusion, he professed a hope that the commencement of a proceeding which the House of Commons had characterised as "disappointing to the hopes of Parliament, derogatory from the dignity of the Crown, and injurious to the best interests of the empire, would be delayed for two short months, and that legal murder should not be committed on the first subject of the realm."

Mr. *Denman* followed on the same side: he alluded to the pre-

judice which the Queen's reputation must suffer, from the promulgation of the opinion which the Secret Committee were likely to form, upon the *ex-parte* evidence of such witnesses as must have been collected by the means that had notoriously been used.

Of those persons who had degraded themselves to the vile task of collecting this trash, his learned friend had inadvertently spoken, almost in the very words of the Poet:—

“Some busy and insinuating rogue,
Some cogging, cozening slave, to get
some office,
Hath devised this slander.”

If such wretches had been at work, it was not likely that the most polluted evidence could be wanting, in the greatest abundance. On these grounds alone, her Majesty's counsel wished for delay, and it would not be difficult to show, that a compliance with the wish would ultimately save time; for nothing was so likely to retard the course of justice, as leaving a cause half heard.

Mr. *Williams* was about to follow Mr. *Denman*, but the House decided, to conform to the established usage of hearing no more than two counsel.

On the 27th of June, Lord *Grey* moved to discharge the order for the meeting of the Secret Committee. The motion was negatived.

On the 4th of July, the Secret Committee made its report as follows:

“By the Lords Committees appointed a Secret Committee to examine the papers laid before the House of Lords, on Tuesday,

the 6th of June last, in two sealed bags, by his majesty's command, and to report thereupon, as they shall see fit; and to whom have been since referred several additional papers in two sealed bags, by his majesty's command, relative to the subject matter of his majesty's most gracious message of the 6th of June last,

“Ordered to report, That the Committee have examined with all the attention due to so important a subject, the documents which have been laid before them, and they find that these documents contain allegations supported by the concurrent testimony of a great number of persons in various situations of life, and residing in different parts of Europe, which deeply affect the honour of the Queen, charging her Majesty with an adulterous connexion with a foreigner, originally in her service, in a menial capacity, and attributing to her Majesty a continued series of conduct highly unbecoming her Majesty's rank and station, and of the most licentious character.

“These charges appear to the Committee to be calculated so deeply to affect, not only the honour of the Queen, but also the dignity of the Crown, and the moral feeling and honour of the country, that, in their opinion, it is necessary they should become the subject of a solemn inquiry, which it appears to the Committee may be best effected in the course of a legislative proceeding, the necessity of which they cannot but most deeply deplore.”

On the 5th of July, Lord *Dacre*

presented the following Petition from the Queen:—

“CAROLINE Regina;

“The Queen, observing the most extraordinary Report made by the Secret Committee of the House of Lords, now lying upon the table, represents to the House, that she is prepared, at this moment, to defend herself against it, as far as she can understand its import. Her Majesty has also to state, that there are various weighty matters touching the same, which it is absolutely necessary, with a view to her future defence, to have detailed in the present stage of the proceeding. The Queen, therefore, prays to be heard this day, by her counsel, regarding such matters.”

Lord *Dacre* moved, that counsel should be called in, conformably to the prayer of the Petition; but the motion was negatived.

The Earl of *Liverpool* then proposed the following Bill of Pains and Penalties:—

“An Act to deprive her Majesty Queen Caroline Amelia Elizabeth of the title, prerogatives, rights, privileges, and exemptions of Queen Consort of this realm, and to dissolve the marriage between his Majesty and the said Caroline Amelia Elizabeth.

“Whereas in the year 1814, her Majesty Caroline Amelia Elizabeth, then Princess of Wales, and now Queen Consort of this realm, being at Milan, in Italy, engaged in her service, in a menial situation, one **Bartolomo Pergami, otherwise Bartolomeo Bergami*, a foreigner of low station,

who had before served in a similar capacity.

“And whereas, after the said *Bartolomo Pergami, otherwise Bartolomeo Bergami* had so entered the service of her royal highness the said Princess of Wales, a most unbecoming and *disgusting* [degrading] intimacy commenced between her [said] royal highness and the said *Bartolomo Pergami otherwise Bartolomeo Bergami*.

“And whereas her royal highness, not only advanced the said *Bartolomo Pergami, otherwise Bartolomeo Bergami* to a high station in her royal highness’s household, and received *him* into her service [many of his near relations, some of them in inferior], and *that* [others] in high and confidential situations about her royal highness’s person, but bestowed upon him other great and extraordinary marks of favour and distinction, *obtained for him orders of knighthood and titles of honour*, and conferred upon him a pretended order of knighthood, which her royal highness had taken upon herself to institute without any just or lawful authority.

“And whereas [also] her *said* royal highness, whilst the said *Bartolomo Pergami, otherwise Bartolomeo Bergami*, was in her said service, farther unmindful of her exalted rank and station, and of her duty to your Majesty, and wholly regardless of her own honour and character, conducted herself towards the said *Bartolomo Pergami, otherwise Bartolomeo Bergami*; and in other respects, both in public and private, in the various places and countries which her royal highness visited, with indecent and offensive familiarity

* The words printed in the italic character were struck out, and those between brackets were introduced in the Committee.

and freedom, and carried on a licentious, disgraceful, and adulterous intercourse, with the said *Bartolomo Pergami*, otherwise Bartolomeo Bergami, which continued for a long period of time, during her royal highness's residence abroad; by which conduct of her said royal highness, great scandal and dishonour have been brought upon your Majesty's family and this kingdom.

"Therefore, to manifest our deep sense of such scandalous, disgraceful, and vicious conduct on the part of her said Majesty, by which she has violated the duty she owed to your Majesty, and has rendered herself unworthy of the exalted rank and station of Queen Consort of this realm; and to evince our just regard for the dignity of the crown and the honour of the nation, we, your Majesty's most dutiful and loyal subjects, the Lords spiritual and temporal, and the Commons in Parliament assembled, do *hereby* [humbly] entreat your Majesty that it may be enacted;

"And be it hereby enacted, by the King's most excellent Majesty, by and with the advice and consent of the Lords spiritual and temporal, and Commons in this present Parliament assembled, and by the authority of the same, that her said Majesty Caroline Amelia Elizabeth, from and after the passing of this act, shall be, and hereby is, deprived of the title of Queen and of all the prerogatives, rights, privileges, and exemptions, appertaining to her as Queen Consort of this realm; and that her said Majesty shall, from and after the passing of this act, for ever be disabled and rendered incapable of using, exercising, and enjoying the same,

or any of them; and moreover, that the marriage between his Majesty and the said Caroline Amelia Elizabeth be, and the same is hereby henceforth and for ever, wholly dissolved, annulled, and made void, to all intents, constructions, and purposes whatsoever."

The Bill was read a first time, and copies were ordered to be sent to her Majesty, to her Attorney-general, and to the King's Attorney-general.

On the 6th of July, Lord *Dacre* presented the following Petition from her Majesty:

"CAROLINE Regina;

"The Queen has heard, with inexpressible astonishment, that a Bill, conveying charges, and intended to degrade her and to dissolve her marriage with the King, has been brought by the first minister of the King into the House of Lords, where her Majesty has no counsel or other officer to assert her rights. The only alleged foundation for the Bill is the report of a Secret Committee, proceeding solely on papers submitted to them, and before whom no single witness was examined. The Queen has been further informed, that her counsel last night were refused a hearing, at the bar of the House of Lords, at that stage of the proceeding when it was most material that they should be heard, and that a list of the witnesses, whose names are known to her accusers, is to be refused to her. Under such circumstances, the Queen doubts whether any other course is left to her, but to protest in the most solemn manner against the whole of the proceeding; but she is anxious to make one more effort to obtain justice,

and therefore desires that her counsel may be admitted to state her claims at the bar of the House of Lords."

Lord *Dacre* moved that the counsel be called in.

Her Majesty's counsel were called in, and instructed to confine themselves to the "mode and manner of proceeding to be had on the bill."

Mr. *Brougham* said, that their lordships having resolved to proceed by the Bill before them (to which many heavy and grievous objections might be made if permitted), the topics on which he could address them, were extremely limited, as he could not suggest that the third reading should take place before the second. An instant and a continued proceeding until the bill should be finally disposed of, was that which her Majesty's counsel wished, and that for which she herself "was clamorous." Mr. *Brougham* then began to discuss the general policy and justice of the measure. Alluding to a report in circulation, that the Queen was to be dealt with as if she were the meanest subject, he expressed an anxious wish that such a course were possible; and that as little obnoxious to the hostility of the Court as any obscure individual, she could enjoy the ordinary protection of the laws, and the advantage of a trial by jury.

He then submitted the inconvenience to which the House would expose itself, by acting in a legislative capacity upon a subject which at a future day might come judicially before it; for admitting, that adultery committed with a foreigner, and upon a foreign soil might not amount to high treason, still the Queen

might be charged to have committed the offence at Gibraltar, Malta, or elsewhere; *inter presidia*, or on board an English ship of war.

Mr. *Brougham* was repeatedly called to order, as transgressing the limits imposed upon him.

He concluded by repeating his demand, that the Bill should be thrown out at once, or instantly proceeded on.

Mr. *Denman* followed: he repeated, with additional arguments, the demand of Mr. *Brougham*; and also stated, that it was her Majesty's pleasure, that her counsel should urge as indispensable, that she should be furnished with a list of the witnesses, and a specification of the charges against her. She had heard of witnesses by scores, by hundreds; and judging by the quarter from which the charges proceeded, he should have felt no astonishment had they arrived by thousands. He concluded, by expressing a fervent hope, that the House would do the Queen "that justice, which, from the extraordinary course of proceeding hitherto adopted, she had little reason to expect."

On the 10th of July, the second reading of the Bill was fixed for the 17th of August.

On the 11th of July, lord *Auckland* presented the following petition from the Queen:

"The Queen having received information from the House of Lords, that the second reading of a Bill for the degradation and divorce of her Majesty, is fixed for the 17th of August next; and deeming it essential to her defence, that she should be furnished with a list of the witnesses intended to be examined

against her, desires that such a list should be forthwith delivered to her Majesty's attorney-general.

A committee was appointed to search for precedents, as to the course to be pursued in respect to the prayer of her Majesty's petition.

On the 14th of July, lord *Erskine* moved,

1st. "That a list of witnesses intended to be examined in support of the Bill, be forthwith delivered to her majesty's legal advisers, to enable her to prepare for her defence.

2nd. "That the delivery of such list of witnesses shall not exclude the examination of any other witnesses, for the purpose of rebutting any other evidence which may be given on her Majesty's part on her defence.

3rd. "That a copy of these resolutions be sent to her Majesty.

The motion was negatived.

On the 24th of July, lord *Erskine* presented the following petition from the Queen:

"CAROLINE R.

"The Queen laments that the House of Lords have deemed it proper to refuse her application for a list of the witnesses to be examined in support of the bill of degradation and dissolution of her marriage; thus leaving her majesty and her legal advisers in total ignorance as to the time or place to which the charges may relate, or the persons by whose testimony the allegations in the bill are intended to be supported. Her Majesty now submits to the House of Lords, that a specification of the place or places in which the criminal acts are charged to have been committed, should forthwith be

furnished to her Majesty's attorney-general; for if this be denied, it will be impossible to be prepared to meet the accusation, or to take the preliminary measures for providing defensive evidence against the charges, without bringing from every place her Majesty has visited during the last six years, every witness who had any means of observing her Majesty's conduct.

"Her Majesty further desires to be heard by her counsel and agent at your lordships' bar, in support of this her request."

The House refused to accede either to the general object of the petition, or to the Queen's prayer to be heard by her counsel in support of that object.

On the 17th of August, the House met pursuant to adjournment.

The Duke of *Leinster* moved, that the order of the day for the second reading of the Bill be rescinded. The motion was negatived.

Upon the motion of Earl *Carnarvon*, a question was propounded to the judges, whether, "If a foreigner owing no allegiance to the Crown of England, violates in a foreign country the wife of the King's eldest son, and she consents thereto, she commits high treason, within the meaning of the act of the 25th of Edward the 3rd?" To this the learned judges replied by the mouth of the Lord Chief Justice Abbot: "We are of opinion, that such an individual, under such circumstances, does not commit high treason within the meaning of that act."

It was then ordered, that counsel should be called in.

In support of the Bill, there

appeared the King's attorney-general, sir Robert Gifford; the King's solicitor-general, sir John S. Copley; the King's advocate-general, sir Christopher Robinson; Doctor Adams, a civilian, and Mr. Parke, an utter barrister. On the part of the Queen, her Majesty's attorney-gen. Henry Brougham, esq.; her Majesty's solicitor-general, Thomas Denman, esq.; Doctor Lushington, a civilian, and Messrs. John Williams, Tindal and Wilde, utter barristers. Mr. Maule, solicitor to the Treasury, assisted by one Powel, an attorney, who had been employed at Milan in collecting the evidence, acted as agent for the Bill, and Mr. Vizard as agent for the Queen.

The Duke of *Hamilton* asked the attorney-general, on whose behalf, and by whom instructed, he appeared in that place?

The *Attorney General* replied, that he attended in obedience to an order of the House, and that in consequence of that order, he had sought and received his instructions from the Secretary of State.

Upon the motion of lord *Kenyon*, it was determined, that the Queen's counsel might now be heard against the principle of the Bill.

Mr. *Brougham* stated, that his first objection to the Bill was, that it was a private law made for a particular case, and for the punishment of a particular individual; it was also a retrospective law, for confessedly nothing illegal had been done.

Again he would ask, why was not the ancient recognized process of an impeachment resorted to, in preference to a measure which, however it might be di-

rected by justice, could not be treated as judicial?

Such measures, he contended, were suitable only to extreme cases, and he denied that there was any thing in the case of the Queen to render an extraordinary measure necessary.

The danger of any taint to the succession to the throne (the only danger which could be anticipated) had never been surmised.

Had the charge been brought against the Queen when Princess of Wales, there could be no doubt, that it might have been disposed of by the ordinary course of law; but she should not be placed in a worse situation by the delay of an accusation from which she had never shrunk.

One of the advantages which she still retained, was the right of recrimination. "But (said Mr. Brougham), the right of recrimination on the part of my client I could not exercise, without directly violating her express injunctions; nor is it my purpose to resort to it, unless I am driven to it by an absolute and over-ruling necessity. In obedience to the same high command, I lay out of my view, as equally inconsistent with my own feelings, and those of my client, all arguments of another description, in which I might be tempted to show, that levity, or indiscretion, criminality, or even criminal intercourse (for why should I be afraid to use the term?) cannot be held fatal to the character of the country, or to the honor and dignity of the family governing it. That argument, and every thing resulting from it, I willingly postpone till the day of necessity. And in

the same way I dismiss, for the present, all other questions respecting the conduct or connexions of any of the parties. These I say not one word about; they are dangerous and tremendous questions, the danger of discussing which, at the present moment, I will not even trust myself to describe. At present I hold them to be needless to my client; but when the necessity arrives, an advocate knows but one duty, and cost what it may, he must discharge it." Mr. Brougham then alluded at some length to the inquiry into the conduct of the Duke of York in 1809, and, comparing it with the proceedings before the House, asked whether the two cases could be reconciled upon any principle but this, that "the male members of the royal family may do what they please, however exalted their station, however intimately connected with the Crown and the interests of the people; but let the tooth of slander once fix upon a defenceless female of the family, who has been allowed and encouraged to expatriate herself, then she must be persecuted and prosecuted, under the hypocritical and disgusting pretence, that the character of the country, and the honor of the Crown are at stake." "The people at large, however," he added, "would, in their homely language assert, that it is an attempt to accomplish one purpose under the colour of another. 'Here is a man,' they will say, 'who wants to get rid of his wife; he talks of the honor and safety of the country, yet its dearest interests, its peace, its morals, and its happiness are to be sacrificed to gratify his de-

sires.'" Mr. Brougham then adverted to the dangerous example of wantonly tampering with so high and sacred an institution as that of marriage, and cited the doctrine of Sir William Scott, that in the dissolution of the marriage contract, the public was a party no less interested than the individuals released from its ties.

In conclusion, he animadverted upon the inconsistency of offering the Queen an immunity, and even a bounty, if she would persist in the indulgence of her alleged criminal practices abroad, and making her return the signal for persecution. "I hope and trust," said Mr. Brougham, "that your lordships will not be induced for the gratification of any man, to prosecute this or any other measure upon idle pretences, and at the hazard of absolute ruin."

Mr. *Denman* followed on the same side: he professed his satisfaction that the principle of the Bill was still open for discussion. Their lordships had as yet, he said, taken no step; they had therefore nothing to retrace, and even the Secret Committee themselves were not pledged to the measure proposed; they had indeed recommended a solemn legislative inquiry, but that was not necessarily the Bill now proposed.

Mr. *Denman* entered into a minute analysis of the Bill; he complained that, unlike an indictment, it set out the evidence as well as the fact charged, and addressed the accusation to the judges, colored with the thrice-distilled opinions of the Committee. The Bill, he said, contained no principle, it recited no state necessity; and in the pre-

amble, which usually set forth the reason of such an act, nothing was to be found but an outrageous ebullition of moral feeling, ascending in regular progression, until it concluded with the *beau mouvement* of a divorce, leaving of course the King at liberty to contract another marriage. He next complained of the cumulative character under which the offence was charged; not as a specific act of adultery, but as an "adulterous intercourse." He said he was entitled to demand a distinct definite charge, not a multiplication of minute circumstances, from which an inference might be drawn, and against which no defence could be made.

Dismissing the consideration of the detail of the Bill, the learned counsel proceeded to discuss its principle. The charges urged against the Queen, would, with peculiar propriety, he said, have been made the ground of a parliamentary impeachment. If that course had been adopted, the House of Commons would have stood only in the character of accusers; but upon a Bill of Pains and Penalties they would become judges, a capacity in which, according to the declaration of one of their own members, they always disgraced themselves. But there was a third party, whose sanction would be also necessary to the passing of the act. And what more indecent anomaly could be imagined, than to call upon the King to decide upon a question in which his dearest wishes were so anxiously involved? "We do not," said Mr. Denman, "wish for a trial in which the judges (the House of Commons) are not war-

ranted in examining witnesses upon oath. We do not wish for a trial in which the ultimate sentence is to be pronounced by him whose interest it is to condemn us."

Mr. Denman then proceeded to compare the bill with the ordinary bills of divorce, with which the House was too familiar, and claimed for his client her full and ample right to every species of recrimination; the value of this right he illustrated, by supposing a case of a bill of divorce preferred against a wife, who, young and inexperienced at the time of her marriage, and coming from a foreign country with prospects of splendor and happiness, as great as any female had ever contemplated, had found her husband surrounded with mistresses, and found the birth of her child the signal for a total separation.

Mr. Denman justified his client's desire to avert the disgusting inquiry upon the grounds of loyalty, patriotism, and a regard to public decency, and enumerated some of the inconveniences which must result from the passing of such a bill under any circumstances: the example of scrutinizing the moral characters of princes, as the test of their right to rank and station—a rule which might be extended to the claimant, or even the occupiers of the throne: the wanton tampering with the institution of marriage, which, by its example, must tend to the relaxation of public morals, and the doubts which the vulgar might hereafter entertain of the title of a prince, born of a marriage contracted by the King, through the permission of the proposed divorce.

In conclusion he addressed the House in these words: "I beg to say, my lords, that whatever may be enacted, whatever may be done by the exertions of any individual, by the perversion of truth, or through the perjury of witnesses, whatever may be the consequences which may follow, and whatever she may suffer, I, for one, will never withdraw from her those sentiments of dutiful homage and respect which I owe to her rank, to her situation, to her superior mind, to her great and royal heart. Nor, my lords, will I ever pay to any one who may usurp her Majesty's station, that respect and duty, which belong alone to her; whom the laws of God and man have made consort of his present Majesty, and the Queen of these three kingdoms.

[Mr. Denman's speech occupied part of the 17th and 18th; on the latter day, he was interrupted, for a few moments, by the entrance of the Queen. The House rose to receive her Majesty.]

August 18th. After Mr. Denman had concluded,

The *Attorney General* proceeded to defend the principle of the Bill. He set out with complaining, that the Queen's counsel had endeavoured improperly to entangle him in the facts of the case, none of which were, as yet, before the House. "The simple dry question, however, he understood to be this: "Whether, assuming the preamble of the Bill to be true (because, even his learned friends in their arguments were obliged to assume that)—whether or not the Bill was sustainable upon principle?" He felt it his duty, before engaging

with the arguments really directed to the question to be decided in the present stage of the proceeding, to observe upon the unfair addresses which had been made to their lordships' feelings; addresses wholly out of place, upon a dry question of constitutional law. He would now proceed to answer the arguments.

As to what had been said of the form in which the proceeding was instituted, and as to the allusion to a grand jury, the opinion of the judges deciding, that the offence charged could not be prosecuted as high treason, set all that at rest.

It had also been said, that the Secret Committee had not recommended a Bill like the present, but they had recommended a *legislative proceeding*, and between a *legislative proceeding* and a bill in parliament, he was unable to distinguish. As to the objection made to the recital of the substance of the evidence in the bill [an objection which seemed very strange coming from a lawyer], he would answer, that this was in strict accordance with the spirit of the ancient law, which required a special recital of the overt-acts that form the proof of a traitorous intention in every indictment for high-treason; such, too, was the uniform practice in all Bills of Pains and Penalties. As to the objection to the vague form in which the charge was said to be conveyed, by the words "adulterous intercourse," he could only say, that this was the precise form of expression employed in nine out of ten of the bills of divorce which came before their lordships.

The objection that the Bill was

founded upon perjured testimony, went upon an assumption so monstrous, that it deserved no answer.—If this condemnation of witnesses unheard, was to be received as an argument against hearing them, few cases could arise in which witnesses would be heard at all.

The argument against the Bill, drawn from the efforts unsuccessfully used to render it unnecessary, proved nothing, but that the persons making those efforts, had been sincerely anxious to avert an investigation, from which his learned friends themselves threatened so much danger.

But the great argument of the Queen's counsel was, that an impeachment was the course which should have been adopted: to this he would reply, a bill of pains and penalties was adopted, because the charges against her Majesty, though of the gravest import, imputed no violation of the law, while the best authorities supported the doctrine, that an impeachment *could not be maintained, but for a breach of the law.*

It was, however, strange that they who affected to set so high a value upon the right of recrimination, should complain that the proceedings had not assumed the form of an impeachment, in which, as every lawyer knew, recrimination could not be heard of; but he repeated it, an impeachment could not be instituted, but for the violation of some known law. And if there were precedents of impeachments which seemed to form an exception to this rule, on a careful examination of these investigations, it would be found, that they were

exceptions only in appearance, every one of them having for its object either the infraction of some express law, or some malversation in a high official station, which was always held to be an offence at common law. Passing through a number of declamatory topics, which his learned friends knew he could not retort upon them, by expatiating upon the enormous criminality of the offences charged, or by adverting to the variety of evidence by which such charges could be substantiated, he arrived at the solitary argument which possessed any weight, the retrospective character of the Bill, a character which always seemed to involve something of harshness and injustice. Their lordships, however, would look at the offence charged, which, though in law it was not high-treason, in the moral sense amounted to that crime. They would reflect whether, because it could not be treated as high-treason by the law, it should pass unchecked, and unpunished by the state. True, this was an *ex-post facto* law, but was not every ordinary bill of divorce the same?

The Queen's counsel had argued with great earnestness against the expediency of the measure; but what, he would ask, had her Majesty just now to do with that question? Her guilt or innocence would not be affected by the expediency of the measure. She courted inquiry, and this would be the same to her, in that respect, as an impeachment. He was aware that this was, as it had been called, a tremendous inquiry. The question was a momentous one, not only affecting the par-

ties immediately concerned, but the dignity and honour of the country itself.

“ If innocent, however (concluded the learned gentleman) the party accused need not fear your lordships judgment. If guilty, I am sure that nothing can be stated which will induce you to swerve from the path of duty ; but that, fearless of popular clamor, you will put your hands to your hearts, and decide conscientiously and justly. By your lordships decision, you will satisfy the public, that while the meanest subject in the realm is protected by innocence, the highest subject cannot offend with impunity.”

The *Solicitor General* followed on the same side : he joined in his learned colleague's complaint, as to the personal invectives and charges of subornation, perjury, &c. &c. with which it had been industriously sought to confound and perplex a plain, dry question of constitutional law.

The Queen Consort committing adultery with a person owing allegiance to the Crown, was guilty of high-treason, whether the fact was committed at home or abroad. But by a refined and technical distinction, this offence, if committed with a foreigner abroad, however vicious, abandoned, and scandalous it might be, was not only no treason, but no offence cognizable by law.

Now, if the Queen Consort was guilty of a crime but one shade removed from the highest crime known to the law, and of the deepest dye, either in a religious, a moral, or a civil point of view—was a person so regardless of what she owed to the country and to her rank, to sit on the throne by the

side of the monarch of these realms ? If this question were answered in the negative, as he knew it must be by an assembly of men of honour, like that which he addressed, he was then prepared to show that a Bill of Pains and Penalties was the proper remedy.

An impeachment had been suggested ; but an impeachment could not divorce ; it could not degrade from rank and station, though it might inflict capital punishment and direct imprisonment. The proceeding by bill was distinctly applicable to this case, while an impeachment was inconvenient to the parties, inadequate to the remedy, and productive of no advantages to counter-balance the doubts and difficulties attending it. The learned gentleman then went over nearly the same line of argument taken by the Attorney-general, and concluded by saying, that he was persuaded the House would not abandon the measure which it had adopted, for one liable to many and most important objections.”

Mr. *Brougham* replied. He commenced by defending the line of argument taken by himself and his learned friend. The measure before their lordships, he said, was a legislative proceeding. The question was, whether a new law should be made by Parliament, and in making objections to that new law, every argument was relevant which had a tendency to arrest the course of the legislature. He then proceeded to reply to the argument of the law officers of the crown, upon the subject of impeachment, and cited several authorities to show that impeachments were

not confined to the description of cases to which it was attempted to limit them. [Among the cases cited by the learned gentleman were the impeachment of Richard Lyons, Farmer of the king's taxes, in the reign of Edward the 3rd. The case of Sir Giles Mompesson, impeached for procuring illegal patents (4 Inst. 36 and 42). A case reported by Sergeant Glanville, of an impeachment for smuggling French silks; and the case of Mr. Hastings.] The comparison of the proposed proceeding with a bill of divorce wholly failed in this—that no bill of divorce could be entertained by their lordships until two tribunals had, in adverse suits, pronounced that the foul crime of adultery had been committed, and that the party moving the suit was not open to a recrimination.

The learned gentleman concluded with an ironical apology for the earnestness with which he had sought to elude a bill which was to be sustained in all its allegations by so respectable a band of witnesses. His impression was that they must be persons of exalted station above the ordinary ranks of life, or at least looking on their exterior, like those persons with whom their lordships were in the habit of associating. This respectable external appearance they had no doubt *proprio marte*. They must be seized in fee-simple of those decent habiliments. He supposed they must be persons who could regale themselves at their own expense, who could live in separate apartments, and could fare sumptuously every day. They could not be, he was sure, the persons who were called together

by the ringing of a bell to a common meal, provided at the expense of others. At least, he was sure they must have the full power of locomotion, and might be met by their lordships at the corners of the streets; and that when they went abroad, no other individual would be seen attending them, or watching their motions but *laquais de place*.

On the 19th of August, Lord King moved a resolution, "That it is not necessary for the public safety, or the security of the government, that the bill intituled, 'An Act to deprive her Majesty, &c. should pass into a law.'

The Earl of *Liverpool* moved, as an amendment, "That counsel be called in:" Contents, 181; Not-contents, 65.

Earl *Grey* moved, as a second amendment, "That it appears that the Bill now before the House does not afford the most advisable mode for prosecuting the charges against her Majesty; and that therefore, under the present circumstances, it is not expedient to proceed further with it." Contents, 64: Not-contents, 179.

The Earl of *Liverpool*'s amendment being carried, counsel were called in.

The *Attorney General* proceeded to open the case in support of the Bill. The learned gentleman commenced by expressing his strong repugnance to the duty that had been cast upon him—a duty which would allow him no reserve even in detailing scenes that, related at full length, must disgust every well-regulated mind. While, however, he felt himself precluded from withholding any of the evidence placed in his hands, his conscience admonished

him to state nothing which he would not be able to substantiate in proof. He then proceeded with a narrative of the circumstances which formed the foundation of the present charge, professing to begin at the point at which his witnesses would commence.

In 1814, her Majesty left England. She went in the first instance to Brunswick, and from thence, after a short interval to Milan. Her establishment at that time consisted of lady Charlotte Lindsay, and lady Elizabeth Forbes, maids of honor. Mr. St. Leger, sir William Gell, and the honourable Keppel Craven, chamberlains; captain Hesse, equerry, doctor Holland, physician, and other persons in inferior stations. With this suite, except Mr. St. Leger, who remained at Brunswick, she arrived at Milan, about the middle of October, 1814. At Milan, Bartolomeo Bergami was taken into her majesty's service as courier, and also, when not employed in travelling, to act as a footman, or valet; this person had lived in a similar capacity with general Pino, an Italian officer; but was in want of a place at the time he was hired by the Queen. Within a fortnight after she had hired this man, the Princess proceeded from Milan to Rome, and from Rome to Naples, where she arrived on the 8th of November. Up to this time, the Princess had been in the habit of permitting a youth, named William Austin (with whose name their lordships were probably not unacquainted) to sleep in her bed-chamber. Previous to her arrival at Naples, a private house was hired for her use, and the apartments were

disposed according to the usual arrangement, by which the sleeping rooms of the male servants, including of course Bergami's, were appointed at a distance from her Royal Highness's bed-chamber. On her arrival on the night of the 8th, this arrangement was preserved; but on the following day, orders were given that Austin's bed should be removed, on the certainly well-grounded plea, that he was arrived at an age, when his presence in a lady's bed-chamber was no longer proper; and Bergami was withdrawn from the servants apartments, and placed in a room contiguous to the Princess's bed-chamber, with which it had a free communication by a corridor, or passage. On the evening of the 9th of November, he charged the commencement of the adulterous intercourse. Upon that evening the Princess went to the Opera at Naples; she returned at an early hour, in a state of manifest agitation, hastened to her apartment, enjoined that Austin should not be permitted to follow her; abruptly dismissed her female attendants, in a manner quite unusual with her; this excited suspicions in the minds of these persons, which were strengthened by observing, that her Royal Highness retired in the direction of Bergami's room, and fully confirmed, by discovering, next morning, that the Princess had not slept in her own room on the preceding night. And that Bergami's bed had unequivocal marks of two persons having slept in it.

On the morning of the 10th, the Princess did not rise until a late hour, insomuch, that many persons of rank, who came to

pay their respects to her, had not an opportunity of doing so. And the courier Bergami, it was observed, did not rise before her.

The haughtiness of this man's conduct too, from this moment forward, bore testimony to the familiarities with which he had been indulged by his royal mistress.

A few days after, the princess gave a masked ball to the then king of Naples, Joachim Murat. Her first disguise was the dress of a Neapolitan peasant; this dress she put off in a private apartment, assisted, not by her female attendants, but by the courier Bergami. Her second appearance was as the "Genius of History," in a most indecent state of exposure. The princess next assumed the dress of a Turkish peasant, and on this, as on the former occasion, she dressed, or undressed, assisted by her courier, in private, and alone.

From the princess's arrival at Naples, it was generally observed, that her royal highness and Bergami always arose precisely at the same moment. Still, however, he filled, to all outward appearance, the character of a servant; and the guilty familiarity therefore easily escaped the observation of her royal highness's English suite.

About this time Bergami received an injury from a kick of a horse, which confined him to his bed. A person whom, by an early exercise of his influence, he had induced the Princess to take into her service, was appointed to attend him; and for that purpose he was placed in the corridor, or closet, between

the rooms of the princess, and her courier; and this man, on more than one occasion, saw her royal highness pass at night undressed into Bergami's room, and overheard kissing, and other sounds of endearment, which left nothing to doubt of the purpose of the visits. Her royal highness remained at Naples until the month of March, 1815; during this time the intercourse was carried on without interruption. Though her English suite still remained with her majesty, they were not the companions of her amusements. At a public masquerade in the city, she thought proper to appear accompanied only by Bergami and her waiting maid: her royal highness's dress was so indecent, that she was compelled to retire, by the indignation of the assembly; and she withdrew, as she had come, in a common fracre.

On her royal highness quitting Naples in March, 1815, she left four of her suite, Lady Elizabeth Forbes, Sir W. Gell, Mr. Craven, and Captain Hesse in that city; Lady Charlotte Lindsay left her royal highness at Leghorn, in the course of the same month.

Before leaving Naples, he must recur to what he had omitted, because it was not so much an insulated fact, as a continuous habit; namely, that Bergami, in his courier's dress, constantly breakfasted with the princess, that they retired to rest, and rose at the same moment, and that he was distinguished from all the household by the extraordinary privilege of entering her bed-chamber uncalled for, which he exercised without concealment.

From Naples, the princess went to Rome, and in two or three days to Civita Vecchia, where she embarked for Genoa, on board the *Clorinde* frigate. On her arrival at Genoa, she had no English attendant, but she was there joined by Lady Charlotte Campbell, who remained with her during her stay at that place. On board the *Clorinde*, Bergami acted in all respects as a menial servant, discharging the lowest offices; but at Genoa, a manifest change took place in the relations observed between him and his royal mistress. He absented himself from attendance at table, and became the inseparable companion of the princess's rides and walks. Here, as at Naples, he occupied a contiguous room, and here it was also observed, that the princess's own bed was more frequently than at Naples unoccupied at night. At Genoa the princess began the practice of breakfasting with Bergami in secret; and at this place he proved his influence, by introducing a number of his relatives into the household of the princess—his daughter Victorine, an infant of tender years, his brother Lewis, his sister Faustina, and his aged mother; but the person whom nature pointed out as the proper nurse and guardian of the babe, the wife of Bergami, formed an exception to the general admission of his relatives; she was studiously excluded. Why this exception was made, it was not difficult to guess; but the princess availed herself of it, to inculcate the opinion, that her courier, whose child she condescended to adopt, was an unmarried man.

On the 15th of May the princess left Genoa for Milan; she was not accompanied on the journey by Lady C. Campbell, although that lady again joined her at Milan. On the journey her royal highness was observed to favour Bergami, still in his courier's dress, with the most familiar attentions.

At Milan she remained a few days in the town, and two months in a villa called the Casa Borromeo, in its vicinity. During this residence at Milan, Lady Charlotte Campbell (the last of her English suite) took her final leave of the princess's service.

Her royal highness had now to provide herself with a lady of honor. And, instead of looking to her native country, Brunswick, or to her adopted country, England, for a fit successor to the high-born ladies who had retired from her service, she selected a person whom she had never seen, whom she had never before heard of, a person whom she must have supposed to be, from her birth and habits, as in fact she was, of vulgar manners, and defective education; but, who was that person? The sister of Bergami. This woman, under the designation of Countess Oldi, became the successor of the ladies Lindsay, Forbes, and Campbell; and the sole female companion of the princess's amusements, and her future travels. At first it was industriously sought to conceal the relationship in which the new lady of honor stood to the courier; but, the fact becoming known to some persons at Naples, it was found impossible to preserve the secret long.

Mr. William Burrell joined her royal highness's suite at Milan, and attended her in a short visit which she made to Venice. Upon an occasion at Venice, when her royal highness had dined, and all her attendants, except Bergami, had retired, one of the servants at the hotel witnessed an extraordinary scene of dalliance between the princess and the courier. Her royal highness took from her own neck a gold chain, and placed it round the neck of Bergami; he returned the endearment by replacing the chain on the neck of her royal highness. The princess once more placed the chain upon the courier's, and having spent some time in this commerce of caresses, they were observed to separate.

On her return to Milan, from the Venetian excursion, Mr. Burrell retired from her royal highness's service. She now took up her abode at a house called the Villa Villani. And it was remarked, that from the moment she had disencumbered herself of all her English attendants, the princess threw off the semblance of reserve, which she had previously maintained towards her courier. She here presented Bergami with one of her own gowns for a dressing-robe. She played freely at games with the servants; and here, as elsewhere, the arrangement of contiguous rooms, with a free communication, was adhered to.

In August, 1815, her royal highness visited Mount St. Gothard. On the journey to the Mountain, Bergami attended her in his courier's dress; they stopped at a town called Varise, and here they were for a considerable

time shut up in a bed-chamber, without any assignable motive. From Varise, they proceeded to Madona-della-Monte, where they slept. The original arrangement of the bed-chamber was changed by the princess; and her royal highness relinquished the best apartment which had been assigned to her, for one in which she could enjoy a ready and uninterrupted communication with the chamber of Bergami.

Upon her royal highness's return from Mount St. Gothard, she stopped to dine at a place called Bellinzona. And here, for the first time, Bergami was admitted publicly to her table. He dined with her royal highness, wearing his courier's clothes. Upon this occasion, they also visited Lugano; the usual arrangement of the rooms was made, and facts were witnessed, which could leave no doubt of the actual commission of an act of adultery at this place.*

On her return from Mount St. Gothard, her royal highness fixed herself at a Villa near Como, called the Villa d'Este.

The bed-chambers were here, as on every other occasion, arranged with a view to contiguity and communication. The princess and Bergami were, as before, observed to retire to rest, and to rise, at the same moment. At this time Bergami was advanced to the dignity of chamberlain, and was, with his sister, regularly admitted to the table of the princess.

From the Villa d'Este her royal

* The Attorney-general did not produce any evidence as to the transactions at Lugano. The witnesses were said to have been frightened by the riot at Dover.—[See page 260.]

highness proceeded to Genoa, where, on the 15th of November, she embarked on board the *Leviathan*, a line-of-battle ship. She altered the original disposition of births, by which the cabins adjoining to her royal highness's were assigned to her female attendants, for the purpose of securing Bergami proximity according to her favourite arrangement. During this voyage she visited Elba, and arrived at Palermo on the 26th of November. While on board the *Leviathan*, Bergami acted as her royal highness's chamberlain, and was treated by her with the most marked familiarity. From the moment she was relieved from the last of her English suite, it was observed, that the princess studiously avoided the company of the natives of England.

At Palermo the princess went to court, attended by Bergami as her chamberlain, attired in a magnificent Hussar dress.

On the sixth of December, she removed from Palermo to Messina. Here the usual arrangement of the bed-chambers was made; the princess's room communicated with that of Bergami, by the apartment of the countess Oldi. Bergami was frequently heard in the princess's room at night. She was seen openly coming through his room in the morning undressed (he being in bed). Her expressions of tenderness, "My friend," "My heart," became more frequent, and more fond: she almost totally dispensed with the attendance of her female servants, neglected her person, and betrayed all the indications of a blind ungovernable passion.

On the 6th of January, her royal highness left Messina, em-

barking on board the *Clorinde* frigate. Captain Pechell, the officer commanding that vessel, had before conveyed her royal highness from Civita Vecchia to Genoa, when Bergami acted in the capacity of a servant. Captain Pechell felt that it would degrade the British service, and his own character as an officer, and a gentleman, should he, under these circumstances, receive Bergami at his table. He therefore intimated to the princess, that if she condescended to come on board his ship, he was ready to receive her majesty, as he was bound to do, and to provide a table for her and her suite; but he must request her to spare a British officer the disgrace and scandal of sitting at the table with a person who had filled a menial situation.

The princess, instead of meeting this remonstrance with the indignant rebuke that would have suggested itself to a person conscious of acting from pure motives, descended to expostulate, and cited the example of captain Briggs, of the *Leviathan*, who had offered no such objection to admitting her chamberlain to his table. Captain Briggs explained, that Bergami had never stood behind *his* chair, or he should have acted as captain Pechell had done. Captain Pechell remained inflexible, and the princess confined the expression of her displeasure, to withdrawing from captain Pechell's table, enjoying in private the company of Bergami and his sister at her meals.

In four or five days the princess arrived at Syracuse: the usual arrangement of the bed-chambers was made. The room

of her royal highness communicated with that of Bergami, by a private stair, and both rooms were shut up from the intrusion of the family, by locking the door of that occupied by the princess, a precaution which was uniformly adopted.

On the 3rd of the following February, the princess removed from Syracuse to Catania. The first arrangement of the rooms at Catania, placed Bergami at a distance from her royal highness. He removed to a chamber nearer to his royal mistress, but separated from her royal highness's apartment, by a room occasionally accessible to the servants, some of whom slept in it at night. The princess and Bergami always retired earlier at night, and rose later in the morning, than any other persons of the family; but one morning, one of the filles de chambre, being at a much later hour than usual in the intermediate room, detected her royal highness coming out of Bergami's room undressed, and carrying in her hand the pillow upon which she always slept.

While at Catania, another circumstance occurred, leading directly to the same conclusion.

The child Victorine had become the object of a very fond attachment with the princess, and returned her royal highness's affection with the warmth usual with infants; she slept in the room of her royal highness, and if the princess withdrew at night, expressed her concern by crying. One night at Catania, the infant was heard crying bitterly for her mamma (the name by which she always designated the princess), and the countess of Oldi was also heard endeavouring long and

unsuccessfully to hush her to repose.

At Catania her royal highness procured for Bergami the dignity of the knighthood of Malta; and from this time, until he was advanced to higher honors, he was always addressed as Monsieur le Chevalier. When first at Catania, the princess was visited by the neighbouring nobility; but they soon learned from her neglect, that she preferred the company of her chamberlain.—[The House adjourned.]

MONDAY, AUGUST 21.

The *Attorney General* resumed his statement. He wished, before renewing his narrative, to go back for a moment, to supply an omission which he had inadvertently made, with respect to the separation of Dr. Holland from the princess's suite. That gentleman left her Majesty at Venice, in April or May, 1815; and about the same time, her royal highness received into her service two English gentlemen, named Flinn and Hownam, both officers in his majesty's naval service.

He now returned to his narrative. From Catania, her royal highness removed to Augusta (also in Sicily) in March, 1816. At Augusta she procured for Bergami the title of Baron della Francina. At Catania, or Augusta, the princess sat for her picture, and caused Bergami's portrait in a Turkish dress to be taken also. Of her own she had two copies taken, one dressed as a Magdalen, with her person considerably exposed, the other as a Turkish female; the little Victorine was introduced into the latter, and one or both of these pictures her royal highness be-

stowed upon Bergami. At Augusta she hired a polacre, for the purpose of proceeding to Tunis. In this vessel the same arrangements as before were not at first made to secure a vicinity between the princess's room and Bergami's; but in a day or two a bed was provided for Bergami, in a place where he and the princess might freely converse in their respective beds, free from interruption by any other person, the approach to her room being through Bergami's. The door of the latter was constantly shut at night, and the interior door could not be opened without the parties seeing each other in bed. From Tunis her royal highness proceeded to Utica, on the 8th of April. In the house provided for her accommodation at Utica, there were but two bed-rooms, and with these the usual arrangements were made, all of her suite, but the countess Oldi, Bergami, and the little Victorine sleeping at the British consul's. At Utica Bergami went into her bed-chamber before she rose, and remained there a considerable time. These repetitions might be tedious, but the intimacy which was in fact habitual, could not be otherwise described.

On the 12th of April, the princess visited Savoan or Savona, near Tunis: here their rooms were again contiguous; in Bergami's was no bed; and the princess's bed next morning bore unequivocal marks of two persons having lain in it. From Africa her royal highness proceeded to Athens, where she arrived on the 22nd of April, and she continued her journey thence to Constantinople, Ephesus, and Troy, visiting some of the Greek

islands in her passage. At Athens the princess was visited by a captain of the English navy: he was introduced to an alcove, where he found her royal highness sitting with Bergami and the countess Oldi. Bergami upon this occasion treated the princess with marked and rude indifference, rising from the conversation without the least token of civility. At Ephesus the princess had a bed prepared under a vestibule, opposite a church: her dinner was served here to her and Bergami alone; the princess sat on the bed-side, Bergami sitting on the ground beside her; they remained, as usual, a long time alone.

In the course of the visit to Ephesus, they made an excursion to a place called Aum, where a tent was pitched for the princess's accommodation, in which a bed was placed. At Aum, Bergami was seen coming from the princess's room (she being in bed) in a state of undress, viz. in his shirt-sleeves. On this as on other occasions, this man was indulged with this familiar admission, to the exclusion of all the princess's female attendants.

Her royal highness next visited Jerusalem; at Jerusalem she established the Order of St. Caroline, of which she appointed the courier Bergami grand master: so their lordships now had Bergami knight of Malta, of the Sepulchre, of St. Caroline, and Baron della Francina. She now embarked at Jaffa; on the deck of her vessel was erected a tent for the princess, in which she slept, with Bergami alone, and without separation, their beds being close together. Every night during the voyage to Italy,

they slept thus together without interruption or intermission; not only this, but in the day time they frequently retired together, letting down the curtains, and excluding all the rest of the crew and passengers, but so unsuccessfully, that they were frequently seen embracing, the princess sitting on Bergami's knee. But more than this, a bath was frequently prepared for the princess, and Bergami was always her only attendant to the bath. On the 24th of August (St. Bartholomew) Bergami's patron saint's day, was celebrated on board with great rejoicing; the princess's health and Bergami's being always drunk together. The same thing had taken place at the Villa d'Este, on the 24th of August, 1815. During the whole of the voyage, the intercourse between the princess and Bergami, was of the most licentious description; and her royal highness did not scruple to degrade herself, by descending to the most menial offices; mending his clothes, and doing other acts which demonstrated the nature of the intercourse that was taking place between them.

In the month of September, 1816, the princess landed at Terracina, having touched at Syracuse, and proceeded to the Villa d'Este, a house near the Lake of Como, which she had occupied previously to her departure.

Upon her return to this residence, Lewis, the brother of Bergami, was advanced to the office of "Prefect of the Palace." And a cousin of Bergami was created "Comptroller of the Household." A theatre had been built at the Villa d'Este, during

the princess's absence on the voyage, and on her return, her royal highness frequently assisted in the performance of dramatic pieces—herself usually performing the part of the Heroine, and Bergami sustaining the character of her Lover. From this place she proceeded to Lugano; but before she left Villa d'Este a courier, who had a letter to deliver to Bergami, went early in the morning, or rather at midnight, to look for that person: he did not find him in his own room, and he did discover Bergami coming in his shirt from the princess's room: for this Bergami indeed apologized by stating that he had heard his child cry. After her royal highness had been a short time at the Villa d'Este, she visited a place which she had purchased for Bergami; a very considerable estate, near Milan, which she dignified with the name of the Villa Bergami, or the Barona. At this place, during the carnival, the house of the princess exhibited the most disgraceful scenes—scenes more fitted for a brothel than the residence of any persons possessing a moral feeling. These scenes should not affect the princess's character, had they not passed under her eye, and with her knowledge and approbation; in fact, her passion seemed to have blinded her to all sense of decency. After leaving the Barona, her royal highness, in February 1817, made a tour through the Tyrol into Germany. It happened, that at a place called Scharnitz, it was necessary for Bergami to leave the princess, to go to Inspruck for passports; he was absent when her royal highness retired to rest, and she

called in one of the filles. But Bergami returning from Inspruck in the middle of the night, the fille de chambre was ordered to retire, and take her bed with her, and Bergami was left with the princess at that late hour. What conclusion was to be drawn from this but that the princess and Bergami spent the remnant of the night together? In the course of this journey, the princess visited Munich, and afterwards Carlsruhe. At Carlsruhe the usual arrangements were made with respect to the bed-rooms, and in Bergami's bed was found the princess sitting with Bergami's arm round her waist, he being naked and in bed. The princess's cloak was found in this bed, where also remained such marks as must prove that two persons had lain in it. This was about the beginning of March, 1817. Her royal highness next visited Vienna; her stay there was, however, but for a few days: from this city she travelled to Trieste in a two-wheeled carriage, accompanied by Bergami only. At Trieste the usual arrangements were made with the bed-room, and Bergami's bed appeared to have been unoccupied during the six nights they remained there. But besides this, there were two beds in the princess's room, and this room every morning presented the appearance of two persons having slept in it: there were two wash-hand basins, and other utensils apparently used by two persons: the marks so frequently alluded to were obviously visible; and Bergami was the only person who had access to the apartment. During the journey, Bergami and the princess frequently retired to rest

together, on the same bed, but without laying aside their clothes. After visiting Venice, they returned for a short time to the Barona, in the month of April. Upon this occasion, Bergami's mother and his two brothers, who had before discharged the most menial duties, were admitted to dine at the princess's table. The little Victorine was raised to the dignity of a princess, and that of a prince conferred on William Austin. The mother, who had been previously known in the family by no other title than "The Grand-mother," was exalted to the designation of "Donna Livia." Her royal highness next, about the month of July, 1817, proceeded to Rome, where she took a house called the Villa Brande; at this, as at other places, Bergami was frequently, at an early hour of the morning, seen going undressed into the princess's room. Was this a fact which afforded any doubtful inference? In August 1817, from this place she went to Pesaro. The usual arrangements were made; and so attached did the princess seem to feel towards her chamberlain, that his absence was always the cause of great depression of spirits to her. On his return she always went to meet him, and received him with all the manifest joy of the fondest attachment. From this period until her entering France she resided at this place.

The learned *Attorney General* went a little back in his narrative. While at Villa d'Este (Como) the princess was constantly in the habit of riding out in the lap of Bergami, in a small carriage—his arms being necessarily about her waist. She was

frequently seen embracing him, kissing him, and in other attitudes of fondness; upon one occasion, they were detected bathing together in the Brescia. Much indecency occurred here, which would come much better from the mouths of the witnesses. From the East the princess brought with her a person of the most brutal habits. This fellow, who did not deserve the name of man, used to exhibit the most abominable gestures—imitations in fact, of the carnal intercourse of the sexes, at which the princess used to look on with manifest pleasure. Another circumstance might be stated, which seemed the natural forerunner of such a consequence. When the princess first went to Italy, she did that which became a Protestant princess, she had divine service performed regularly in her family, until Bergami entered her service at Genoa; but from that time, not only did this reverent and becoming custom cease, but she so far apostatised from her hereditary faith, as to attend her favourite to the Catholic places of worship, kneeling in public by his side at mass. At the Villa Brande, and at Pesaro, the princess had no less than ten of the Bergami family surrounding her, viz:

Bartolomeo Bergami, Chamberlain.

Louis Bergami, Prefect of the Palace.

Countess Oldi, Lady of Honor.

Another Director of the Palace.

The Mother (“Grand-mother or Donna Livia”) filling no definite situation.

Martine, House Steward.

Faustina,

Victorine,

[The *Attorney General* omitted to name the other two; by the evidence they appear to have been “Carlino” and “Camera.”] It had been triumphantly asked at the bar, how are these facts to be proved? Necessarily by those who are the only witnesses that are ever brought forward in such cases. But then they are foreigners. But look at the princess’s conduct; has she not industriously taken care that foreigners alone should be the witnesses of her mode of life? Will she again, who has raised an Italian to the highest office in her gift, say that foreigners are not to be trusted. She has in fact made herself an Italian; but it cannot be suffered that by transgressing in the presence of foreigners alone, she should secure an immunity from conviction and punishment. It had also been asked, with equal triumph, why these witnesses are not permitted to go abroad? Melancholy indeed was the answer to be given, but still it was one more dishonourable to the affected friends of the Queen, who had offered violence to the witnesses, than to those who were the objects of the outrage. Recollecting to whom he addressed himself, he had no fear that whatever just pride their lordships might feel in the superior morality of their own countrymen of all classes, they would receive the evidence of the only witnesses which the case afforded, with the candor and impartiality due to justice.

The drums and flourish announcing the Queen’s arrival, were heard as the learned gentleman concluded, and a short

cessation from business took place.

Lord *Erskine* rose to suggest, that after the examination of the witnesses, they should be placed in such a situation as to abide the award of criminal justice.

The *Lord Chancellor* concurred in the necessity of keeping the witnesses in constant attendance during the investigation, and proposed a resolution to that effect.

Lord *King* asked whether witnesses coming forward in a proceeding, legislative and not judicial, were amenable to the punishment of perjury.

The *Lord Chancellor* said, if the question was addressed to his experience, he could give no answer. But if he were asked, whether from the analogy of law, a witness swearing falsely in a proceeding similar to that before the House, could be punished for perjury, he would reply in the affirmative.

Lord *Liverpool* said, whatever might be done on an impeachment, might be done in the present case; should the privileges of the House offer any obstacle, the impediment might be overcome by a special order.

Nicholas Dorien Marchese di Spineto, was sworn interpreter.

Mr. *Brougham* asked, from whom he had received his instructions to attend, and the *Marchese* replying, that he had been directed to attend, by Mr. *Maule*, solicitor for the Bill, and Mr. *Planta* of the foreign-office, Mr. *Brougham* demanded to have also an interpreter on the part of the Queen.

Binetto Cohen was accordingly sworn (being a jew, he was sworn upon the Old Testament).

Teodoro Majocchi was then called in.—On being placed at the bar, his name was called aloud by one of the clerks of the House, and the Queen, whose face was not at first directed to the bar, turned suddenly round at the annunciation, and uttering a loud exclamation, retired hastily from the House, followed by lady *A. Hamilton*. Her Majesty evidently laboured with some strong emotion, but whether of surprise, or displeasure, or both, has never been ascertained.*

Previously to the witness being sworn,

Mr. *Brougham* submitted, that being a Catholic, he should be asked, whether he had undergone those spiritual preparations (he was understood to allude to the Catholic sacrament of confession) which he (Mr. B.) could prove by evidence, were necessary to be undergone, before he could be sworn in his own country.

Counsel were informed, that if the witness professed to consider the mode in which the oath is administered in this country, as binding upon his conscience, no objection to it could be entertained.

The witness was then sworn in the usual manner, and examined by the *Solicitor General*.—Is a native of *Pisterlango*, near *Lodi*, knows *Bartolomeo Bergami*; first knew him in 1813 as valet to marshal *Pino*; witness was at that time a courier in the marshal's service. *Bergami* at that time was in low circumstances (more poor than rich); witness rented a room from him. *Bergami's* wages were three

* The writer of this abstract stood within a very few feet of the Queen; to him the exclamation seemed perfectly inarticulate; and at the time, the impression upon all the persons below the bar, certainly was, that the Queen's ejaculation implied no meaning whatever. Next day, however, the newspapers variously ascribed to her majesty the words—"No, no, *Teodoro*," and "Oh, oh, *Tradidore*," both probably with equal untruth.

Milan livres (2s. and 6d.) per day. Witness afterwards entered the service of Joachim Murat, king of Naples, as an attendant in the stables. While in this service, he saw Bergami at Naples, about Christmas, 1814; before Christmas, Bergami said, he would make witness a present. And after the holidays, in January 1815, he engaged witness as a livery servant, in the service of the princess of Wales, to whom Bergami was himself courier and equerry. Bergami dined at the upper servants table, and divided the duty occasionally with Mr. Hieronymus.—This was the situation of the apartments of the princess and Bergami at Naples. Between the bedrooms there was nothing but a small cabinet and a corridor, “one was obliged to pass through the corridor, from the corridor into the cabinet, and from the cabinet into the room of Bergami.” On the other side of the princess’s room was the great saloon. Usually no person slept in the cabinet. Remembers Bergami having received an injury by a kick from a horse, when the princess went with Murat to the Lake of Agnano. Witness was appointed to attend upon Bergami while confined by this injury. In the course of this attendance, he slept five or six nights in the cabinet above mentioned. Saw the princess in Bergami’s room, while Doctor Holland was dressing his foot. Saw her afterwards pass twice into Bergami’s room at night. The first time was about half an hour after midnight. She remained in Bergami’s room ten or fifteen minutes. She passed through the cabinet very softly, and passed near witness’s bed to see. The second time she delayed in Bergami’s room from fifteen to eighteen minutes, and witness overheard some whispering conversation. There was a small garden attached to the cabinet; it was for the most part locked, and Bergami kept the key. [Witness here described the Queen’s progress, and the diminution of her suite, as far as it occurred up to her arrival at Genoa.—*See the Attorney General’s Speech.*] At Genoa the room of her royal highness and that of Bergami were separated only by an untenanted apartment, in which trunks were kept. Through this apartment there was a direct communication. At Genoa Bergami and the prin-

cess breakfasted together alone, in a small room at the top of the saloon. Witness saw them one morning. Remembers knocking at Bergami’s chamber-door, and endeavouring to awake him one night when the courier Vinescati brought a letter from Milan. Knocked so loud, that Bergami must have heard him, had he been in the room, but he obtained no answer. Remembers the princess riding upon an ass at Genoa; Bergami used to take her round the waist to put her on the ass, and also used to hold her hand, lest she should fall. He had more authority than the other servants, and there was rather a familiarity of manner between him and the princess. Before the princess quitted Genoa, there were received into her service, of the Bergami family—Faustina, the sister of Bartolomeo Bergami, Lewis Bergami, his brother, his mother, his child Victorine, between three and four years old; the mother of the child did not come. [Witness described the princess’s progress to the Borromean house.—*See the Attorney General’s Speech.*] At the Borromean house, the apartments of the princess and Bergami were separated only by a wall. The door of one opened to a stair-case, and that of the other to a landing-place; they were about seven or eight feet asunder.

Here, upon the suggestion of Mr. Brougham, it was ordered that all the witnesses on both sides (except such peers as might be in possession of facts necessary to be made known, and the persons attending professionally) should be excluded from the House during the inquiry.

Witness in continuation.—The stair-case to which the door opened, was a secret stair-case; it led to a small apartment, occupied by Lewis Bergami.

The witness saw the princess sometimes at breakfast with Bergami, at the Borromean house; they were alone upon these occasions; sometimes witness, sometimes Lewis Bergami, and sometimes Camera attended. Lady Charlotte Campbell left the princess at Milan, and the countess Oldi was received into the service of her royal highness; it was at first a secret that

the countess was the sister of Bergami, but it was found out when the family saw her at table. At Venice the princess lodged three or four days at the Grande Bretagna; then removed to a private house, where her royal highness's bed-chamber and Bergami's opened into a large saloon. At Venice and Milan the princess and Bergami used to walk together arm in arm, sometimes at night, at half-past nine or ten o'clock. First saw Bergami dine at the princess's table at Genoa; from that time he dined regularly with the princess. Her royal highness sat at the top of the table, and Bergami beside her, sometimes on the right, sometimes on the left-hand. Does not remember being at Genoa more than once. [Again questioned] Went twice to Genoa, the last time merely to embark: the time alluded to in his former answer was, the first visit to Genoa. At the Villa Villani the rooms of the princess and Bergami communicated; the apartments of all the rest of the family were at a distance from them. Assisted in making Bergami's bed there; sometimes observed that it had not been slept in. Remembers the princess having a blue silk gown lined with red, at the Villa Villani; remembers her giving it to Bergami; Bergami frequently wore it in her presence afterwards—always when making his toilet. Bergami sometimes rose at the same time with the princess, sometimes a quarter of an hour later. At Messina the bed-rooms of Bergami and the princess were separated only by the apartment of the countess Oldi, through which they communicated. The rest of the household slept at a distance. Remembers Bergami breakfasting with the princess at Messina in a small cabinet, which led from her room to the garden. Bergami one day asked the princess's permission to go and make some purchases, and kissed her lips at parting. At Syracuse the princess's room was under Bergami's, but they communicated by a private stair-case, which led immediately from one room to the other; the rooms had other entrances for ordinary purposes. Before going to Syracuse, remembers Bergami going into the princess's room one morning in his morning gown, stockings, and drawers. At Catania, the bed-room of Bergami and

the princess were in a small court or yard, into which no other person could gain admission, because the door was locked. Bergami was ill at Genoa. Bergami sat on a stool undressed, while witness was making his bed. The princess ordered that the bed should be warmed, and remained in the room while witness was warming it. At Augusta, the bed-rooms were also in a small court, inaccessible whenever the doors were locked. At Catania Bergami received the title of "Excellency," and the Order of Malta. He was also called Baron Francina before he left Sicily. The princess embarked on board a polacre for Tunis. Bergami slept in the dining-cabin, the princess in an adjacent room. At Tunis the princess first lodged at the English consul's, afterwards in the palace of the Bey. In the palace there was, after the room of Bergami, a little room, and then a small passage or corridor, then a large passage, in which there was nobody; and that large room led into the bed-room of the princess; nobody slept in the little room; the rest of the suite slept in another part of the building. From Scala Nuova, the princess visited the Grotto of the Seven Sleeping Men. Near the Grotto, the princess rested the first night, in a hut made of branches. At that place the princess and Bergami dined alone, in an inclosure in the vestibule of a church. Witness attended them, the princess sat upon a travelling bed, and Bergami at her royal highness's feet; after dinner they remained there alone an hour and an half. At Aum (in Syria) the princess and her suite rested from their journey in the day-time in tents. The princess's tent, which was double, was six or seven yards apart from the rest. There were placed in the interior of it a small travelling bed, and a Turkish sofa; the walls of the inner and outer tent were two arms length asunder; both were circular. The princess and Bergami were shut up in the inner tent, during the time allotted to sleep. Between Aum and Jerusalem, they encamped again, and the same arrangement was made. After her return from Jerusalem, the princess embarked again at Jaffa. On her voyage outward, she had slept in the cabin; but on her return, a tent was

raised for her on the deck; a travelling bed and a sofa were placed under it. Every night, during the voyage home, the princess and Bergami slept under this tent. When they went to sleep, the sides of the tent were closely shut up. They always had a light. Sometimes after witness had made the beds, Bergami ordered him to take away the light. Sometimes Bergami gave out the light, by thrusting out his hand between the lower part of the tent and the deck. Remembers the princess bathing on board more than once. The first time witness carried the water into the bath, and then Bergami came down, and put his hand into it to ascertain the temperature of the water; then he went up stairs and handed her royal highness down, after which the door was shut, and they remained alone in the cabin together.—Upon another occasion, when the princess and Bergami were below for the purpose of taking a bath, witness carried down, by order, two buckets, the one of cold the other of hot water. Bergami received them from him at the cabin-door, and immediately closed the door. Witness cannot know that any person was with them at the time.

On the voyage home, witness slept in the dining-cabin, under the tent; has heard a noise, like the creaking of a bench, over his head at night. Bergami landed at Terracina before the princess; he kissed her royal highness at parting. Knows the Villa Bergami; it used to be called the Barona; the house is about two miles from Milan. There is an estate surrounds it, and a farm-house attached to the estate. It was purchased by Bergami at the time the princess lived at the Villa Villani. At the Villa Bergami, the princess's bed-chamber and Bergami's opened upon the same landing-place. The princess gave balls at the Villa Bergami, which were attended by country people—peasants. Does not remember that any of the neighbouring nobility visited her royal highness. At one time, Bellegarde, the governor of Milan, went to pay her his respects, and afterwards his successor Saurau. At the Golden Stag, in Munich, apartments were arranged for the princess and her suite before her arrival; by this arrangement, Bergami's apartment was placed at a distance from

that of her royal highness; but, as soon as she arrived, Bergami caused this arrangement to be changed: the princess was present at the time. By the new arrangement, the princess's room was separated from Bergami's only by the dining-room.

AUGUST 22.

Examination continued.—Went with the princess to Carlsruhe, Nuremberg, Vienna, and Trieste. At all of these places the bed-chamber of the princess and Bergami's were more near than far—(*piu vicine che lontane*)—they generally communicated together; and were at a distance from the rest of the family; they were always selected by Bergami and the princess. The princess and Bergami travelled together in the same carriage through the whole journey. It was the witness's business to prepare the carriage; remembers having found a bottle usually carried in the carriage; it had a wide mouth; it was, as witness knows from what he found in it, used for Bergami to make water in; remembers being at the Convent of St. Alessio, near Rome. The princess there breakfasted with Bergami; quitted the service of the princess at Pesaro; had been in her service three years. After he left her service he went to Milan, into the service of the marchese Erba Odescalchi; remained in Italy about four or five months after he left the princess's service. At Naples, Bergami went out on horseback; during Bergami's absence, the princess asked for him; on that person's return, witness communicated to him, that her royal highness wanted him. [Witness was proceeding to detail a conversation with Bergami; this was objected to by Mr. Brougham.] Bergami then went into his own room, shutting his door and locking it; he remained within an hour and three quarters; witness did not see the princess in this apartment. At the Villa d'Este some changes were made in the bed-rooms; this was while they were on their voyage to Greece; the apartments of the princess and Bergami were contiguous, and a direct communication was open between them; they were at a distance from the rest of the house. There was a door, the shutting of which excluded all the other members of the family. There was a the-

atre at the Villa d'Este, in which he has seen the princess acting with Bergami. Does not remember whether the princess was visited by the nobility of the neighbourhood at Villa d'Este. Remembers Mahomet, a person who embarked at Jaffa with the princess. Remembers Mahomet on some occasions exhibited fun [*giuoco*] in the presence of the princess; [witness illustrated this fun by a gesticulation, in which he chiefly displayed an active motion of the loins]; he (Mahomet) made use of the linen of his long pantaloons; he made it strike forward and backward; does not believe he used his hands upon this occasion; he has witnessed this exhibition more than once in the presence of the princess. Mahomet's trowsers were always in the same state. Has frequently seen the princess and Bergami go alone in a boat upon the Lake of Como.

Cross-examined by Mr. Brougham.—Left general Pino's service, because his wages were too low; his wages were 50 soldi (2s. 1d. British) per day; does not remember any English servants dining at the second table at Naples; remembers that Sir W. Gell and Mr. Craven had English servants; in general these servants did not wear liveries; but at state dinners they put on a uniform (livery). It was the duty of the ordinary livery servants of the house to wait upon the princess at dinner, but not at breakfast; it was the duty of the upper servants, including the courier, to wait at breakfast. Witness knows Hieronymus and Camera; they were couriers. Does not know where William Austin slept at Naples; does not remember where Dr. Holland slept; there was no other passage between the princess's room and Bergami's, besides that through the cabinet in which witness slept, to witness's knowledge; cannot swear with certainty, because he does not positively know. [Further questioned].—There *was* a passage between the rooms exclusive of that through the cabinet; does not remember where any of the other members of the family slept (witness denied the knowledge of the apartment of each by name); cannot say whether it was a severe accident by which Bergami was confined; witness was hired to attend upon him; Bergami could not ride in consequence of the accident;

but cannot say whether he was able to walk; does not remember ever having seen him go to walk while suffering under the consequence of the accident; in waiting upon him, witness frequently went into his room; does not remember ever having seen him walk about the room; does not remember whether Bergami had any medical attendant; does not remember having seen the princess visit the chamber of Sir Wm. Gell or Hieronymus, after they had met with accidents. Does not remember whether it was the princess's practice to visit her sick attendants; witness was not himself ever ill at Naples. [The Solicitor General observed, that in his questions Mr. Brougham assumed facts, viz. the sickness of the parties to whom his questions referred, a mode of questioning which transgressed the licence of cross-examination.—The Lord Chancellor coincided in the objection, and Mr. Brougham said he would vary his question.]—Witness does not remember whether all the family except Bergami enjoyed perfect health.—Being asked if Dr. Holland attended any other person during the time Bergami was confined? says he does not remember. Slept on a mattress in the cabinet while he attended Bergami; it had no curtains. The English persons who went with the princess from Naples to Rome in March, 1815, were, Dr. Holland, Hieronymus, and a small thin English lady; does not remember a second lady; thinks there was one English lady alone, and Madame Falconet, and two daughters; one of them was about to be married to a banker at Naples; Madame Falconet generally spoke French; does not remember having seen them in the princess's house at any time; they were together on the journey.—Being asked whether Madame Falconet's daughters were young children, or young ladies, witness was answering at first, I do not remember, when Mr. Brougham directed the answer to be taken; but it appearing, that the witness had not finished his answer, the question was repeated, and witness answered—They were young ladies; does not remember whether at any time the princess had more than one English lady at a time.—A discussion here arose, as to the translation of the word *non mi questo ricordo*, as to whether it related to me-

memory only, or absolutely to knowledge. A question was put at the suggestion of the interpreter, and the witness explained, that by the phrase he meant generally he did not know. The night he called up Bergami was that on which the theft was committed, that people broke into the house. Mr. Brougham—Was not the alarm, “that your friend Ompteda’s gang had broken into the house.” Objected to by the Solicitor General. The objection was allowed.—A window was attempted to be broken open. Witness opened the window, and fired a musket upon a tall person, whom he saw accompanied by some others. [Here Sir Wm. Gell, the Queen’s vice-chamberlain, who had been summoned as a witness on her majesty’s behalf, was observed in the House, and ordered to withdraw.] The Lord Chancellor moved, that none of the witnesses summoned, but peers and persons professionally engaged, should be permitted to remain in the House.—Agreed to.

Examination resumed.—On the night of the alarm, all the house were in confusion running down stairs; all the family were there, but cannot recollect them individually; does not remember seeing captain Hownam coming down stairs with a sword in his hand; it was about three minutes after witness fired that he knocked at Bergami’s door. Bergami came out in about a quarter of an hour afterwards; witness remained a long time knocking louder and louder at Bergami’s; witness then returned to the room from which he had fired; and it was there Bergami came to him. At Venice, the princess went to a private house from the hotel; on one side of her room was a saloon which opened into it, on the other two sides were other rooms; the fourth side having windows; does not know the use of those other rooms; does not know that Hieronymus occupied any of them; he has not seen any staircase; does not remember where William Austin slept; does not know where captain Hownam slept; captain Hownam, Austin, and Hieronymus were with the princess at Venice, Camera was not; does not know where Victorine used to sleep; knew her sometimes to sleep under the princess’s pavillion on deck, sometimes below in her little room, sometimes with the Dame d’Honneur;

the Countess Oldi; cannot say whether any other person ever saw Victorine sleeping away from the princess; witness never saw Victorine sleeping apart from the princess; does not remember Mr. Burrell being with the princess at Venice; saw Mr. Burrell at Villa Villani, and afterwards at Milan, at the Borromean house; does not remember where he slept; the second time the princess went to Genoa, she went immediately on board ship; has seen the Villa d’Este since the princess’s return from her long voyage; the arrangement of the rooms was not the same as before. On one side of the princess’s room was a small corridor, and on a little further a small cabinet; beyond this was a room in which Bergami slept. In the small room there were, as witness remembers, but two doors ever open. The maids slept in another quarter; does not know where Mr. Hownam or Dr. Holland slept. The passage from the maid’s room to the princess was through the small corridor. While they travelled in Asia they rested in tents by day. The princess travelled on horseback all night, usually setting out at sun set. Cannot remember the number of hours. She generally dismounted about sun-rise. Witness had no watch. It was said that the princess used to be much fatigued on her alighting, and she always retired hastily to her tent to repose on a Turkish sofa; cannot say whether the princess was ever so much fatigued as to require support.

Witness and Carlino have rested between the inner and outer walls of the princess’s tent; witness at one side, Carlino at the other. Carlino was said to be the nephew of Bartolomeo Bergami.

There was under the tent a Turkish sofa (that is, a common sofa laid by the Turks) and an iron travelling bedstead, with a leather-covered mattress, either the same or similar bedsteads were on board the polacre. Does not know that any bed-clothes of any kind were used, either on board the tent, or the polacre. It was the duty of the witness and Carlino to prepare the beds at night on the land: on resting for the night, the princess always took off her upper dress. On the voyage, he used to bring the cushions in the evening, and take them away in the morning (for it was not a large

bed,—a bed—a matrimonial bed); but he does not know who it was that prepared the bed.—[Mr. Brougham here entered into a long cross-examination as to minute particulars or circumstances unconnected with the charge, the purpose of which was obviously to try the memory or rather the credit of the witness]. Witness professed that he did not recollect where Hieronymus, Austin, Hownam, the countess Oldi, Camera, the female servants, or lieutenant Flinn slept, on the voyage. Did not recollect whether Flinn was on the land journey; whether he was in the princess's service before or after the voyage—whether he was a young man, or of middle age. Could not remember where the captain of the polacre slept, or whether the number of sailors on board was two or two-and-twenty, or whether they ever went on deck in the night time. Did not know what was the proper and appointed place for the servants to sleep in. To all inquiries upon these points, the witness replied, *Non ricordo*.—Witness was sea-sick; he slept at first in the hold, and afterwards in the dining-cabin. Can swear that he was not 24 successive hours without coming on deck. The ship had three masts; does not remember whether the princess, when she slept below, had a room in the inside beyond the dining-room. The bath was not always taken in the dining-room, but in the room next to it, a small room. Does not know whether there was another small room opening into the dining-room. Will not swear that there were not two other rooms opening into it. Camera did not sleep in one of them. Does not know whether Camera was related to Bergami. The princess's female attendants on the long voyage were the countess Oldi and mademoiselles Demont and Brunet. Has not seen Demont since he left the princess's service at Pesaro. Saw Sacchi once since in the piazza of the cathedral of Milan. Does not remember which other of the servants saw the princess and Bergami at breakfast together. There was no person but witness present, when Bergami kissed the princess, taking leave of her to do some business in Sicily. It was below deck, after dinner, but does not remember where they dined. Does not remember that he ever applied to be taken

back into the service of the princess. Does not remember that he ever applied for that purpose to count Vassali or baron Bergami. Applied once to count Schiavini, some months after he had left Pesaro. Never wrote upon the subject, because, to his misfortune, he cannot write, and does not remember to have employed any one to write for him. Schiavini was on board during the whole voyage, and also on the land journey to Jerusalem. Does not remember whether the countess and Victorine were not always in the carriage with the princess when she travelled by that mode of conveyance. Does not remember whether Austin, the countess Oldi, and Victorine, were with the princess on her journey into Bavaria. Does remember that in fact they were with her. Does not remember a new wing being built at the Villa d'Este during the long voyage. Has not seen Dr. Holland present during Mahomet's performances, nor lieutenant Hownam. The princess and Bergami were present. The princess, from her position (she looked into the court from a window), could not see witness, but Bergami and Mahomet could see him. Cannot say who sent for Mahomet to exhibit this performance.—“The princess put her head out of the window to see this Arabian play these tricks.”—Does not remember the name “Ompteda” Remembers a German baron dining at the Villa Villani; he was a Prussian, but cannot remember his name. Remembers his coming twice to the Villa Villani. Remembers no noise in the family about him; nothing about a blacksmith, or false keys. Has heard of a quarrel between this baron and lieutenant Hownam, but does not know the cause. Does not remember whether this quarrel was before or after the long voyage, or how long it was before witness left the princess's service. Does not remember whether it was a week or two years before. Does not remember to have seen the prefect of Como at the Villa d'Este theatre. Has seen the professor Mocatti there, not at the theatre, but at the Villa. Has also seen general Bubna, the Austrian commandant, and his lady, and witness's former master, general Pino, visiting the princess. Recollects none of the performers at the theatre, but the princess and Ber-

gami. Bergami was dressed as a sailor, and acted a buffoon part, carrying a great bladder, which he struck as a fiddle. Was nearly a year in the service of the marquis Odescalchi, six or seven months of the time at Vienna. Went to Vienna about two or three months after he engaged with the marquis. Witness's wages were at Milan 50 soldi (2s. 1d.) and at Vienna 4 livres (3s. 4d.). Witness's wages from the princess were thirty ducats every three months; the ducat is about 6½ livres (5s. 5d.). The princess was kind and affable to her domestics. In the service of the princess, witness saved seven hundred livres (29½). Had pottage [explained by the interpreter as hotch-pot, without meat] at Odescalchi's; used economy in that service also; has a wife and two small daughters. About two years ago left the marquis Odescalchi's service; and was received into the household of the British ambassador at Vienna, lord Stewart; but without any definite employment. Knows lord Stewart's secretary, colonel Dureno (Deering); has conversed with him in French; but does not know what countryman he is. Knows colonel Brown; while in the service of the marquis Odescalchi went from Vienna to Milan, to see colonel Brown; witness's father came for him; his father is a carrier; he paid his expenses on the road; they travelled in a calash, or cart, and wanted for nothing; his father has not realised a fortune as a carrier. Afterwards went into Hungary with the marquis Odescalchi for three months as his cook; this was last year; does not know whether Odescalchi is a friend of the English ambassador. Returned from Milan to Vienna by a vetturina; colonel Brown furnished the means; witness's father and his wife are now in England; his children are not; does not know the name of the place where he resides; it is a ten minutes walk from the House of Lords; does not know the number of persons who reside in the same place; cannot say whether there are seventy of them; some of them are Italians. Made no observation as to a sign over the door; has not been called upon for payment as at an inn; does not know whether he may not be so called upon.

AUGUST 23.

Cross-examination continued. — Does not remember a German baron visiting the princess at Naples, nor on the road between Naples and Milan. A baron whom witness thinks to be a Russian, twice visited the princess at Villa Villani. Cannot remember his name; he had a servant with him; his servant lived with the servants of the house. Does not remember that there was a room in the Villa Villani, specially designated as this baron's room; does not remember a thunder-storm on the Lake, by which the princess and her party were wet to the skin. In the house at Naples, as witness had formerly said, the princess and Bergami slept apart from the rest of the family; but not as witness is aware at any distance. Witness remembers the situation of their bed-chambers, but does not remember the situation of the other sleeping rooms.

The *Solicitor General*, on reference to the Minutes, said, the former expression of the witness was "separate," not distant.

[Mr. *Brougham* submitted, that the word was "lontane;" but the House adhered to the translated word "separate," and took the occasion to enjoin upon the interpreters to use the utmost precision in their translations.]

As far as witness recollects, there was no other passage from the room of the princess to the other rooms, but that by the door of Bergami. Being asked, Will you take upon you to swear that the rooms of Hieronymus, Dr. Holland, and Austin, were not close by the room of her royal highness? replied this, I do not recollect. Being asked, while you remained at Milan, did any body give you money? replied, I remember to have received no money when I arrived at Milan; I remember I did not—"Non so," I do not know; "Piu no," rather no; "Non mi ricordo," I don't remember.

[First Cross-examination concluded.]

Re-examined by the Solicitor General. — By the phrase "Non mi ricordo," used at the conclusion of his cross-examination, witness means, that he has it not in his head, that he received the money, but he does not recollect the contrary. Came to London

from Vienna, with a person whose name he does not know ; went to Holland with the other witnesses.

Mr. *Brougham* objected to this line of re-examination, as his cross-examination had laid no ground for it.

The *Solicitor General* submitted, that it arose regularly out of the inquiry, respecting witness's proceeding at Milan and Vienna, and his residence in London, to which the House assented.

Remained in Holland 20 or 25 days; returned with the other witnesses, and has since resided in a common dwelling near the House. The princess's female attendants on board the polacre, were, Demont and Brunette. Asked, Were their sleeping apartments on board below deck? [Question objected to by Mr. *Brougham*.] At the Villa d'Este there was a door to the corridor; when that door was shut, there was no approach to the princess's room, but through the room of Bergami. At the house at Naples, the situation of the rooms was [here the witness gave a long description of the topography of the house, which was perfectly unintelligible.]

The *Marquis of Buckingham* suggested, that the House would be greatly assisted by plans of the respective houses, &c. alluded to in the evidence, and proposed, that such plans, approved of by counsel on both sides, should be delivered in.

The *Lord Chancellor* suggested, that in the plans, the rooms, &c. should be numbered 1, 2, 3, 4, and so on, and not described by the names of their occupants.

The *Solicitor General* stated, that he was in possession of some plans; but they had not been prepared in conformity with the suggestion of the Lord Chancellor.

Mr. *Brougham* objected to the proposition altogether; no plan could be prepared which would not in some degree assist the memory of the witness. The mischief which might result from the daily publication of the evidence was obviated by the witness's ignorance of English; but a plan would speak all languages; it would interfere especially with that by which he meant to regulate his evidence, the description of the houses by the witnesses on the other side; it was ob-

vious, that the production of plans would deprive him of *non mi ricordo* altogether.

Counsel were informed, that no plan should be produced until sworn to. And that when so verified, the witnesses would be entitled to look at it. Still, however, each plan produced would be open to contradiction, if conceived to be inaccurate.

It was proposed to put in a certificate of good conduct received by the witness, at the time of his quitting the princess's service; but as it could not be established, that Schiavini, by whom the testimonial was signed, had received from the princess any special authority, it was decided, that it could not be received.

EXAMINATION BY PEERS.

By Lord Auckland.—Does not remember the state of the weather on the voyage homeward, when the tent was on the deck.

By Lord Ellenborough.—Does not remember how the princess was dressed when she passed into the room of Bergami, through the cabinet at Naples.

By Earl Grey.—Saw the princess distinctly upon that occasion; witness feigned to be asleep when the princess looked at him. Left general Pino's service voluntarily, but asked no certificate of character from him; went to Vienna to get bread.

By Lord Darnley.—Does not recollect to have seen Bergami dine in company with lady Charlotte Campbell.

By the Marquis of Buckingham.—Saw the princess and Bergami enter the cabinet in which the bath was prepared, together. Did not see the countess Oldi, or either of the female attendants, with the princess and Bergami, when they went down to take the bath. Did not see them either on deck at that time; does not remember whether there was a second small room in the dining cabin.

By Earl Carnarvon.—The tent did not cover the whole deck; there was a passage on one side; does not remember whether any one slept in that passage.

By the Marquis of Buckingham.—The bath was taken before dinner.

By Lord Falmouth.—Knows that the princess gave Bergami the blue silk

dressing-gown, because Bergami told him so.

By the Earl of Oxford.—[Repeated his former description of the manner in which Bergami conducted the princess to the bath.]

By Lord Duncan.—Can swear that no person but Bergami and the princess was in the bath room. Was at the door when Bergami went up for the princess, and when they came down. Bergami said, "Be at the door, for if there be any need of water, you shall give it me."

By Earl Grey.—When the room was open, could see if any person was in it. No person could have been in it without witness seeing; and swears, that there was no other person.

By Lord Auckland.—Remained at the door the whole time, with the two pails of water.

By the Lord Chancellor.—There was no person in the bath room, when the princess and Bergami went in.

By Earl Grosvenor.—There was no second door into the bath room.

By Lord Auckland.—Saw Bergami come out of the bath room, and call down Demont to assist the princess in dressing. Was still at the door with the hot water; they had been in the room about half an hour.

By the Marquis of Huntley.—No change had taken place in Bergami's dress.

By Earl Grey.—When Bergami went out to call Demont, he told witness to take away the hot water; as Demont was going into the bath room, witness was taking away his pails. Bergami did not return, and witness does not know how long Demont remained with the princess, because he went about his business.

By Lord Anson.—Received the pails of hot and cold water at the door of the dining-room, from a sailor: the sailor knew they would be wanted, because it was he who had filled the bath. Witness never left the dining-room.

By Lord Grosvenor.—Was recommended to the princess by Bergami.

By Earl Grey.—Cannot say whether the princess was in the bath before Bergami left the room.

By Earl Carnarvon.—Cannot say how the princess was dressed when she went into the bath room; there

was no furniture in that room but a sofa.

By the Marquis of Lansdowne.—Left the service of the princess because she was surrounded by bad people. Was in jest when he applied to Schiavini to be again received; had no serious intention of returning to the service of the princess; was in place at the time.

By Lord De Dunstanville.—When witness and Carlino lay between the walls of the tent in Syria, heard whispering voices in the interior tent; cannot say whether the voices were male or female.

By Mr. Brougham, through their Lordships.—When he had the conversation with Schiavini, witness was in the service of the Marchese Erba Odescalchi; had a conversation upon the subject with the elder Camera. Camera said to witness, Teodoro Majocchi, do not enter into any service, because her royal highness wishes to take you back, and I shall pay you. Teodoro, give me back the certificate of your good service, and I will tell to her royal highness that you have not taken another engagement, and she will pay you for the whole time that you have been out of her service, or losses you may have suffered. And witness said to Camera in reply, Camera, give me back my paper. [Witness had previously handed it to him, Camera.] Give me back my paper, for rather than go to serve her royal highness, on account of the people that are about her, I will go and eat grass. Never made any application to Camera on any occasion; does not know whether Camera was examined at Milan.

By the Earl of Lauderdale.—The conversation with Camera took place before witness went to Vienna.

Gactano Paturzo called in.

Mr. Denman asked the witness whether he was not a Catholic? and how lately he had partaken of the Sacrament of the Lord's Supper? Counsel were informed that the question was irregular, and the witness was sworn.

Examined by the *Attorney General*. Is a Neapolitan; is captain, and one-fourth proprietor of a merchant vessel. In April 1816, was mate of a vessel of 300 tons, commanded by one Gargiulo.

The princess of Wales sailed from Augusta, in Sicily, in this vessel to Girgenti, and from Girgenti to Tunis. The persons whom witness remembers as in the suite of the princess, were a certain Bartolomeo Bergami, count Schiavini, a certain William Austin, a certain Camera, Teodoro, Carlino, a cook named Francis; the lady of honor, called, as witness believes, the countess Oldi; the chamber-maids Demont and Brunette, and a little child called Victorine. The whole size of the ship almost was divided into three parts, not, however, equally—two lateral parts extending longitudinally, along the foremost two-thirds of the vessel, and the remaining part consisting of the whole after-part of the vessel; the lateral parts were divided into a number of small apartments for the suite, with a passage between them; the other third consisted of the dining-cabin, which extended quite across the ship, and two small rooms in the immediate stern of the vessel. The * right hand of these two rooms was occupied by the princess, the left, by the lady of honor (countess Oldi); the rooms communicated by an interior door. On the voyage to Tunis, Bergami slept in the apartment of the right lateral section, nearest to the dining-cabin. At leaving Tunis, however, his bed was removed into the dining-cabin, and placed “more particularly on the right hand,” or, “to speak more correctly, on the right hand,” of course nearest to the cabin of the princess; it was placed in a situation, that when the door from the princess’s room, into the dining-cabin, was open, the princess and Bergami could not avoid seeing each other in bed: from the fore part of the vessel, there were two doors into the dining-cabin [the mizen mast, and a cupboard surrounding it, stood between these doors.] When the vessel left Tunis, one of these doors was nailed up; leaving but one entrance to the dining-cabin, from the body of the ship. Went with the princess from St. Jean d’Acre to Je-

rusalem [witness here described the mode of travelling, and of resting in tents]. Knows where the princess reposed; cannot say where Bergami, but imagines.—[Interrupted by Mr. Denman, and informed by the House, that he must only state what he knows.] Never saw Bergami rest under any other tent. At Jerusalem, was present at a church ceremony. Bergami, Austin, and Schiavini were made knights of the Holy Sepulchre; knew nothing of any other order at Jerusalem. The princess embarked at Jaffa, on the voyage homeward; there was a tent erected on the deck; a sofa and a small bed were placed under it; they made an angle with a little distance between them to afford a passage; has assisted in closing the tent from the outside; frequently upon such occasions, the princess, Bergami, and some person of the suite used to be inside. The servants used to come out, but who remained inside, witness cannot say, because there was a communication from the tent with the dining-cabin, through the deck. When the tent has been opened in the morning, has, for the most part, seen the princess sitting or lying on the sofa, and Bergami on the bed; sometimes a servant, sometimes none. Bergami used to be dressed, when on the bed, in a loose robe, with large sleeves. Has known the tent closed during the day, for half an hour, or an hour. When closed in the day-time, the princess and Bergami, and some of her suite, who assisted in closing the tent, used to be under it; has sometimes seen this person so assisting come out; at other times, has gone about the ship affairs, without seeing the person come out. The tent was never closed but by the order of Schiavini, Camera, or some other person of her royal highness’s suite. Has seen the princess walk the deck arm in arm with Bergami; has seen them in different situations, sitting on a gun, with the arm of one behind the back of the other; has seen Bergami sitting on a bench near the main mast, with the princess on his lap or thigh, with an arm round his neck, over his shoulder. Has seen Bergami lying on his back in his small bed, and the princess standing near to the bed, leaning forward. Whenever the captain observed witness looking

* Looking from the stern to the bow of the vessel.—It is necessary to observe, that *right* and *left* in this part of the examination always relate to the vessel, not to the particular rooms.

at such occurrences, he sent him away, because they are relations. The sofa was first placed alone under the tent; the iron bedstead was afterwards taken out of the princess's luggage. On St. Bartholomew's day, there was a general rejoicing among the suite and crew; each of the sailors got a dollar by Bergami's order; they danced and sung, crying, "Long live St. Bartolomeo," "Long live the Chevalier." When Bergami came on board at Jaffa, the princess's court (in all seven persons) assumed a new order, with a yellow ribbon, "The order of St. Caroline."

Cross-examined by Mr. Denman.—Resides with his father, Gian Battista Paturzo, first pilot in the royal navy of Naples, with the rank of an officer. The crew consisted of twenty-two persons in the whole. Has seen none of them very lately, but the captain Vincenzo Gargiulo. The bench near the main-mast was on deck, of course subject to the observation of all the sailors. The crew were at liberty to go to all parts of the deck, except that occupied by the tent. Was first applied to, to come to England, by the English vice-consul, at Messina, about the 23rd or 24th of July, in the present year. Is to be paid for coming, 800 dollars a month, which he considers very little.

[*Marchese Spineto (interpreter).*—The dollar is about 4 and 3 pence, or 4 and 4 pence; has known it as high as 4 and 5 pence.] All his travelling expenses have been paid. Was examined at Milan, by colonel Brown, three other persons were present; lodges where *the rest are*, where there is a communication with this room, down below. Cannot say whether the persons whom he describes as *the rest*, are in number 6, 20, or 100. Knows of them only the captain Vincenzo Gargiulo, Teodoro Majoochi, and the cook; he supped in company with these last night.

Re-examined by the Attorney General.—The vessel which he commands measures 269 tons; it is not merely the hire of the ship and crew which he loses by coming here, but he is a considerable loser by the interruption of his commercial speculations. If his speculations succeeded, he would gain much more than 800 dollars a month; if they failed, he would lose more.

EXAMINED BY LORDS.

By Earl Grey—[In answer to a similar question, repeated nearly the same answer as he gave to the last question of the attorney-general, about the profits of his ship.] On the voyage, ten of the sailors were usually on deck at night, one at the helm, near to whom the witness stood when on duty; the others in the forward part of the ship. There was a passage beside the tent, by which the men passed back and forward, when occasion required.

By the Marquis of Lansdowne.—When sent by the captain from witnessing the familiarities between the princess and Bergami, always went upon the duty to which he was ordered. The weather was generally fine; once there was a storm, and then the princess and her suite went below deck. [Witness delivered in two plans, one of the arrangement of the vessel below deck, which has been already described, the other of the position of the tent.] The tent was erected between the main and mizen-masts, and extended more than two-thirds across the deck from the right side of the vessel, to which it was attached; leaving less than a third of the vessel free for a passage on the left side. There were two entrances from the deck into the dining-cabin, one under the tent, the other farther forward.

By Lord Auckland.—Teodoro Majoochi at first slept in the hold; afterwards, wherever he felt more easy, he stretched himself. From the hold he could not hear what passed on deck.

By Lord Ellenborough.—Does not know whether Majoochi ever slept in the dining-cabin. On the voyage from Jaffa, had Bergami any place to sleep, but the place within the tent? Where the princess and Bergami slept, I have not seen them, but what I know morally is, that the princess and Bergami slept under the tent; because there were horses on board, which made a great deal of noise, and they said that they could not bear to sleep below. On the sofa there was nothing but the single mattress, which was doubled, and the other mattresses were placed on the princess's bed, in her cabin below, as in the beginning. Cannot say whether Bergami's bed

below, remained as in the voyage from Tunis to Jaffa.

By the Lord Chancellor.—The female servants in the voyage from Jaffa, slept in the apartment of the left lateral section, next to the dining-cabin.

By Lord Belhaven.—Has seen the light handed out from under the tent at night; sometimes Teodoro (Majoochi), sometimes Carlino, sometimes the captain received it. It was not always put from under the tent walls; it was frequently handed down into the cabin.

By the Earl of Darnley.—Has seen the princess sometimes in the morning open a little of the tent, and saw her having a white gown on, a dressing-gown, or some gown or other. She opened the tent to get a mouthful of fresh air in the morning, before sun-rise.

By Lord Ellenborough.—Has never seen Bergami look out of the tent about the same time.

By Mr. Denman, through their Lordships.—The name of the witness's vessel is, *Il vero Fidele*.

By the Earl of Lauderdale.—A person in the dining-cabin could readily hear people in the tent, speaking in their natural voices.—[Witness ordered to withdraw.]

The *Lord Chancellor* stated, that he could communicate it, as the result of his researches into the highest sources of legal instruction, that a witness falsely swearing, in the proceeding before their lordships, might be effectually prosecuted for perjury. An obstacle might be opposed by their lordships privileges; and he proposed to make a motion upon that subject, on the following day.

AUGUST 24.

Vincenzo Gargiulo was called in.

Mr. Williams, upon the swearing of this witness, suggested that the witnesses should be sworn in the form and by the adjuration most binding on their consciences. The learned counsel referred for authority to the case of *Omichund and Barker*, in which it was ruled by the 12 Judges and the Chancellor, that a heathen might be sworn according to the tenets of his superstition.

The *Lord Chancellor* admitted the law, so far as it might be applied to persons believing in a Supreme Being and a future state.

Mr. Williams continued.—His present object, he said, was, to inquire whether in the country of the witness (Italy), and according to his faith, certain preliminary ceremonies were not necessary to give full solemnity to an oath.

Mr. Brougham went into a further examination of the rule laid down in the case of *Omichund and Barker*, and lord Mansfield's comment upon it, in which he says, that every man is to be sworn in the way that binds his conscience most. The learned gentleman then proceeded to illustrate his argument by reference to a late case at the Old Bailey, where a Chinese was sworn holding a saucer before him, which was subsequently broken.

Her majesty's counsel, therefore, required that the witness should be asked, whether there were not practised in his own country certain ceremonies more binding on his conscience than the oath which he had just sworn.

The *Lord Chancellor* and *Lord Erskine* concurred in objecting to putting the question in this form.

Lord Grey proposed that it should be shaped thus: "Whether the witness knew any form of swearing more binding than that he had just gone through?"

The *Lord Chancellor* was proceeding to put a question, whether a witness having taken an oath in a court of law could (without himself making any objection) be questioned in the manner proposed [Cries of Go on, go on]. The question was, however, referred to the judges; and while they were absent, lord Darnley inquired whether any and what steps had been taken to prevent a communication between the witnesses examined, and those yet to be brought forward.

Lord Liverpool replied, that it was impossible to enforce any separation by stronger means than an injunction to witnesses not to converse; such a coercive separation has never been practised in any judicial proceedings. At the assizes, for example, the witnesses were almost always necessarily in contact.

The *Lord Chancellor*, in pursuance of notice, proposed a motion, that the House would not suffer its privileges to be set up in bar of any prosecution for perjury.

The *Chief Justice* then delivered the

opinion of the judges, that the proper time for putting such question as that proposed, was before the witness was sworn, but that such a question might be put at a later stage. That a witness might be asked if the oath he had taken were binding, and if the witness answered in the affirmative, he could not be asked whether any other form of swearing was more binding.

Witness examined.—Was master and owner of the polacre Industry, now the brig Abraham; was engaged at Messina to convey the princess of Wales from Augusta into Greece: witness made an arrangement of the cabins at Messina. At Augusta the princess came on board to view the arrangement of the cabins: she ordered the door of the dining-room to be closed. The room had previously two doors: the door ordered to be closed was on the larboard side; the door was nailed up. There was a cabin contiguous to the dining-room on the same side of the vessel. This cabin was at first occupied by the two maids, Demont and Brunette. The cabin on the opposite side, fronting the open door, was occupied by Bergami. The only approaches to the dining-room were by the companion-ladder, and the door which led near to Bergami's room. The companion-ladder was capable of being shut up on the outside; there was no other approach. Aft the dining-room were two rooms; the princess's bed was formed by placing two sofas together, it was about six feet and a half wide; two nights Bergami slept in his own cabin, he afterwards moved to sleep in the dining-room; his bed was so placed, that a person in it could see and be seen by any one placed in that of the princess, the door between them being open. The beds were from ten to twelve English feet asunder. Bergami slept in the dining-room, the princess in the room to the right, and the countess of Oldi in the room to the left; this arrangement continued from the month of March till June. On the return from Jaffa, Bergami slept under the same tent, together with the princess, but in different beds; they lay in this way until the vessel reached the Porto d'Anza; during the night the tent was closed. Witness was commanded to close it, and he commanded others;

was directed to close all apertures, which he did, by pinning on pieces of canvass; it was opened at 10 in the morning; witness was often present at the opening; the princess was generally sitting up in the bed, and Bergami coming out of the tent, Bergami always entirely dressed. On deck Bergami wore a Grecian robe, which he bought at St. Jean D'Acre. On shore he wore a military dress. When the tent was closed, there was never any light in it; in rough weather the light was taken down by the ladder, otherwise it was taken away on the deck by whomsoever happened to be present. The light never remained long after the tent was closed; Bergami always handed it out. The princess often lay on the bed under the tent in the day-time, particularly after dinner, Bergami being with her. Upon such occasions he has received instructions to close the tent, in consequence of which he has often shut up the princess and Bergami together; he always made the tent perfectly close, with curtains (of sail-cloth) or pins; this might happen three or four times a week. The tent used to remain closed half an hour, a quarter of an hour, or an hour, as the case might be. Has usually seen the princess on the bed when witness closed the tent. Bergami was most usually on the small bed; has seen Bergami close the tent; has seen Bergami most usually lying on his back when he closed the tent; once when Bergami was so situated, and the princess sitting near him, the princess ordered Schiavini to have the tent closed, and Schiavini communicated the order to witness; the tent was about a quarter of an hour closed at this time. Remembers the princess at various times taking a bath on board; the princess was always accompanied by Bergami, on this and indeed on every occasion; on whatever occasion she was accompanied by Bergami, to the bath or to the water-closet. Has seen Bergami sitting on a cannon, the princess sitting on his knee, her arm round his neck; they kissing each other; the princess used always to take Bergami's arm, and never that of any other person; has seen Bergami playing jocular tricks in the course of the passage; he placed pillows round his belly, and made ridiculous motions to amuse the princess; as far as witness knows, this was buffoonery only.

After the tent was erected, the princess used to dine under it, always with Bergami; sometimes they dined alone; sometimes with William. William was called *Principino*, the little prince; he was said to be son to her royal highness; when the princess went to sleep on deck, one of the maids removed to her cabin, and took the little Victorine to sleep with her. Bergami landed at Terracina; and after three days, he came again on board at Porto d'Anza, about 10 o'clock at night. Bergami went into the tent to the princess, and they spent the night together. [The witness described the rejoicings on St. Bartholomew's day. The institution of the orders, &c. nearly as the last witness (Paturzo)]. Was examined at Milan by colonel Brown, and the advocate Vimercati; this was at the end of December, 1819; was applied to to come to England, by the minister at Milan, on the 21st of June, in the present year; his ship is on her way from Puglia to Naples; it is not to his advantage to be in England, for his ship was loaded on his own account, and he was obliged to have her unloaded at Reggio.

Cross-examined by Mr. Williams.—Has retired from active employment at sea; is now owner of the ship and cargo, and Giacomo Pettotuzzi is his captain. Sir William A'Court, the English minister at Naples, applied to witness to come to England; made a bargain with that minister to receive 1,000 dollars a month, during his attendance upon this business; witness has received one month; considers himself as a loser by his bargain; for the captain has taken upon him to sell his cargo of corn at 5 *Carlini* (2s. 1d.) a bushel less than the price fixed by witness. Has not conversed with Gaetano Paturzo upon the subject of his evidence; he is aware that such conversation is not decent—not creditable; came from Naples with a king's messenger, and witness's own servant; the king's messenger paid all expenses.

EXAMINED BY LORDS.

By Earl Grey.—Received from the princess of Wales 750 dollars a month, and all port charges paid. Never saw Bergami in the intermediate time between closing the tent at night, and opening it in the morning; he might have passed into the cabin, by the in-

terior communication, but the passage was very small.

By Lord Ellenborough, once in bad weather, both the princess and Bergami slept below; Bergami's bed was never regularly prepared for him below, on the voyage homeward.

By Lord Auckland.—Was the 750 dollars a month to cover all the expenses of navigation? Witness agreed to the 750 dollars a month as certain, but when royal persons are taken on board, more is calculated upon the uncertain than the certain profits; upon the uncertain profits he was disappointed, and by that his name became known to the English government.

By the Marquis of Lansdowne.—The princess was displeased with witness for not bringing her to Venice, which he was unable to accomplish, by reason of a settled north wind, and a deficiency of fresh water; Bergami had previously promised him a present of 6,000 dollars; but upon landing at Capo d'Anza, he told witness there was no present for him; witness in consequence presented last year, when in England, a petition to the Neapolitan minister, count Ludolph; and in this way his name became known to the English government. Remembers to have sent Paturzo away, when he saw him observing familiarities between the princess and Bergami. [Witness described the familiarities nearly as the last witness.] Witness delivered in the following certificate, written by the princess, which he received from her royal highness, it was as follows:

“Son Altesse Royal, La Princesse de Galles Assur par ce Document écrit de sa propre main que Elle a été contente * des Service du Capitain Vincenzo Garguilo, qui commandais la Polacca nommé l'Industrie pendant son voyage.

“CAROLINE PRINCESS DE GALLES.”

“A la Villa d'Este,

“Ce 17 d'Octobre, 1816.”

By Mr. Williams, through their Lordships.—Did not go down to the dining-room every evening; witness withdrew.

Teodoro Majoochi was again called in.—

Cross-examined by Mr. Brougham.

Does not know the city of Bristol; knows Gloucester well; lived there

* The Grammar and spelling are faithfully transcribed.

with a Mr. Hyatt. Has said that the princess of Wales was a good woman, but surrounded by bad people. Does not remember whether he ever said, that he had never seen any thing improper in her conduct. Never said that she always behaved with propriety; does not remember the name William Hughes; has said to a person at Gloucester, that Bergami used to keep part of the servants wages. Remembers Mrs. Adams, Mr. Hyatt's mother; remembers Mrs. Hughes the house-keeper, and her son; does not remember to have represented to this young man, that her royal highness the princess of Wales always behaved with propriety; never said to Mr. Johnson, or to any other person in a stage coach, that "considerable advantages had been offered to him, a situation under government, or a sum of money, for giving evidence against the princess of Wales; never said so to any one; never dreamt of such things."

By Lord Ellenborough.—When there has been a conversation about the princess of Wales, witness always said, that she was a "Buona Donna;" for if he had called her a "Cattiva Donna," they would have fastened a quarrel on him.—[Witness ordered to withdraw.]

Francesco Birollo examined by Mr. Parke.

Is a native of Vercelli, in Piedmont; served the princess of Wales as cook, during two years and a half. Was with her on the voyage to Palestine, and returning, hired with the princess when she came from Venice the first time; knew Bartolomeo Bergami in the service of the countess Pino, when witness lived in the service of her husband, general Pino. Left the princess's service in consequence of the persecution of Lewis Bergami, and excessive labour. Before the princess went to Palestine, she slept sometimes under the deck, sometimes on the deck, under a tent; on the voyage from Jaffa home, she slept uniformly under the tent; Bergami used to enter the tent in the evening, and it was closed; has seen him come out early in the morning, to make water on the fore-castle, where he used to be cooking; has twice seen the light delivered to Carlino or

Teodoro from under the tent. Bergami used, when he came out in the morning, to wear a silk robe.

AUGUST 25.

Francesco Birollo's examination continued.

[Witness described the circumstances attendant upon the closing of the tent in the day-time, as Majoochi Gargiulo, and Paturzo had previously done]. Has seen the princess walk arm in arm with Bergami before the voyage, both at the Villa Villani and the Villa d'Este; has seen them come together into the kitchen to eat something; sometimes they were alone, sometimes attended by Bergami's sister; when they came, a napkin was spread; the princess would eat some pieces; stick a fork into one, eat herself; take another piece, and say, "Here it is, eat you also;" has seen them alone on the Lake together; remembers Mahomet and his dance. [Witness described the dance by the same motions that Majoochi had exhibited, but added] Mahomet used to gather his trowsers up in a roll, to represent something, which witness could not decently express, and having done so, he used to seize the roll in this hand, and make gesticulations; has seen the princess witnessing this exhibition twice; was at Turin with the princess; went one morning there into Bergami's room; saw Bergami come undressed out of her royal highness's room, and observed at the same time, that Bergami's own bed had not been disturbed; Bergami scolded witness for the intrusion.

Cross-examined by Mr. Brougham.

Has been in England about 10 days; was first examined relative to the conduct of the princess at Milan, by the advocate Vimercati, and three other gentlemen, about 23 months ago. Is now retained in the service of the marquis Incisa, a nobleman of Piedmont; his wages are a Milan livre a-day, with plenty of eating and drinking, and every thing comfortable, and a great many perquisites. From the princess he had 10 Napoleons (twenty francs each) every three months, eating and drinking, but no perquisites. The only present he

ever received while in the princess's service, was two dollars, when Bergami was made a baron. [Witness described the relative position of the sleeping apartments on board the polacre]; has had nothing for coming to England but the trouble.

EXAMINED BY LORDS.

By the Marquis of Lansdowne.—Mahomet frequently played his tricks before the servants, when the princess was not present.

By Lord Falmouth.—Had a quarrel with Bergami respecting his accounts. Left the princess's service without a character. They said go, and he went.

By Earl Grosvenor.—Does not know at what time of the morning it was usual to make up the beds at Turin. Mahomet attended the stable.

The Earl of Liverpool, the Duke of Hamilton, the Earl of Lauderdale, the Earl of Darlington, Earl Grey, the Earl of Morton, and Lord Auckland, also examined, but the answers to their questions were not material.

By Mr. Brougham, through their Lordships.—Once met with an accident in a scuffle, and the princess, attended by Bergami, came into his room to see that he was well taken care of.—[Ordered to withdraw.]

Samuel George Pechell, esq. Post-Captain in the Royal Navy, examined by the *Attorney General*.

In the month of March, 1815, commanded the *Clorinde* frigate; in that month conveyed her royal highness the princess of Wales and her suite from Civita Vecchia to Genoa. She was accompanied by lady Charlotte Lindsay, the hon. Mr. North, Madame Falconet, and Dr. Holland. There was also a boy named Austin. Among the princess's attendants was Bartolomeo Bergami, who waited at table, and discharged all the other offices of a menial servant. The vessel touched at Leghorn, where lady Charlotte Lindsay and Mr. North quitted the princess. The princess landed at Genoa; she was on board seven or eight days; saw the princess when she came to Genoa (in November, 1815) to embark for Sicily on board the *Leviathan*. She came to the shore in her carriage. The countess Oldi, Bergami, and an infant, whom witness understood to be Bergami's child, were

also in the carriage. Arrived at Messina, with the *Clorinde*, on the 7th of December; took the princess on board at that port. Before witness had left Genoa, he received an intimation that the princess intended to embark from Genoa on board the *Clorinde*. On the morning after witness's arrival at Messina, captain Briggs informed him that her royal highness had expressed uneasiness at the thought of keeping her own table on board the *Clorinde*; witness therefore desired captain Briggs to say, in his name, that he was ready to do every thing to make her royal highness comfortable on board the *Clorinde*, if her royal highness would be pleased to make a sacrifice which his duty, as an officer, compelled him to exact, by not insisting upon the admission to his table of a person of the name of Bergami, who, although he was now admitted to her royal highness's society, when she last embarked on board the *Clorinde* was in the capacity of a menial servant. When witness saw captain Briggs, that officer expressed an opinion that the princess would accede to witness's request; but stated that she required a day to consider. Next day, the *Leviathan* sailed; and the following day, when witness waited on the princess to learn her determination, she refused to see him, but desired Mr. Hownam to inform him that his request could not be acceded to, and that she would accordingly provide for her own table. On the 6th of January (about a month after this) the princess embarked on board the *Clorinde*; Bergami, the countess Oldi, Austin, count Schiavini, and Bergami's child, accompanied her. During the voyage, which lasted three or four days, she dined in her own cabin; but witness cannot say in what company.

[This witness was not cross-examined, nor examined by the Peers.]

Thomas Briggs, esq. Post-Captain in the Navy, examined by the *Attorney General*.

Commanded H. M. S. *Leviathan* in the year 1815; received the princess of Wales on board at Genoa in November of that year. Her suite consisted of Bergami, Mr. Hownam (witness thinks), count Schiavini, the countess Oldi, and two or three other foreigners, among whom witness particularly

remembers the name of Montecelli. The princess came down to the shore in a carriage with the countess Oldi, Bergami, an infant, and as, he thinks, another person, whom he does not remember particularly; remembers the others perfectly. During the voyage, the princess always dined at witness's table, and Bergami always dined at the table also. Previously to the princess's coming on board, witness made the following disposition of the apartments intended for her royal highness's accommodation. The after cabin was divided into two compartments, one intended for her royal highness's sleeping-room, the other for a sort of drawing room; before these were two small cabins in a line, intended for her female attendants: the men of her suite were to have been accommodated below in the ward-room, in witness's own cabin, and wherever else they could be conveniently bestowed, reserving part of witness's own cabin for himself. After her royal highness came on board, this disposition of the cabins was altered; the small cabin designed for the countess Oldi, which was next to the princess's, was occupied by Bergami, and the countess removed to the cabin intended for a drawing-room. The only entrance to the cabin, thus occupied by Bergami, had originally been through the maids' room; but that approach was stopped up, and a door was broken out immediately near the door of the princess's cabin. Has seen the princess walk arm-in-arm with Bergami, both at Palermo and Messina. [Witness here repeated, nearly in the same terms, the statement of the negotiation respecting the exclusion of Bergami from the state-table of the *Clorinde*, given by captain Pechell, adding that], in the course of conversation, the princess observed, upon captain Pechell's remonstrance, that he (witness) had admitted Bergami to his table; to which witness replied, "that Bergami had never been a servant in his ship, and that if he had, it would have been impossible for him to have admitted him to his table."

Cross-examined by Mr. *Denman*.

The princess repeatedly complained of captain Pechell's not having accommodated her so well as witness had

done. The cabins of the countess Oldi and the maid-servants opened directly into the dining-room, as well as those of the princess and Bergami; in fact, all the cabins, including that of witness, opened into the dining-cabin.

Re-examined by the *Attorney General*.

The *Leviathan* was a line-of-battle ship, the *Clorinde* a frigate; the former could of course afford much better accommodation than the latter.

EXAMINED BY LORDS.

By Lord Ellenborough.—It was possible, but not likely, that a person could have passed from Bergami's into the princess's room, without witness's knowledge. Witness was frequently up half the night, and subject to all calls at all hours.

By Lord Hood.—Saw no improper conduct between the princess and Bergami.

By Earl Grey.—Received frequent reports during the night. The officer of the watch had constant access to his cabin.

By the Earl of Roseberry.—It was not necessary for him, when going on deck at night, to go directly through the dining-cabin; but he must pass a corner of it. The same answer applies to persons coming to his cabin from the deck.

By the Marquis of Buckingham.—There was no light kept in the dining-cabin at night; does not remember to have seen a light in the princess's cabin.

By Lord Colville.—Two or three of the princess's suite slung cots in the dining-cabin; knows that Hownam did so, and thinks Austin slept there also; is not sure that Montecelli was not a third. The princess had a bell to the maids' apartment.

By the Earl of Lauderdale.—When witness carried captain Pechell's message to the princess, she said, "Well, I do not care, it is only to prevent the trouble of having two tables that he dines with me at all." Witness replied, "That captain Pechell would be highly gratified," and left her royal highness under the impression that she had acceded to captain Pechell's proposition. The alterations in the cabins were by the princess's command.

Through their Lordships by Mr. Denman.—Has heard captain Pechell say,

that the ship was a good deal lumbered by the princess's baggage; but it was merely in the nature of a remark, not as a formal complaint. Witness was asked, had captain Pechell made any complaint of the expense of his table? but the question was not permitted to be answered.

Lord Duncan and the Earl of Liverpool also examined, but the answers to their questions were either included in the foregoing, or immaterial.

Pietro Cuchi examined by the
Solicitor General.

Is agent or conductor of l'Albergo Grande, the great inn at Trieste; the princess of Wales came to that inn about four years ago; she came in a small open carriage, with two horses, driven by Mr. Bergami; she was not accompanied by any other attendant, but her suite followed her at an interval of about an hour. She remained at the inn six days. The door of the princess's bed-chamber opened into the dining-room, as did also at the opposite side the door of the dame d'honneur. The room of Mr. Bergami opened into that of the dame d'honneur, who was his sister. The only other door to the dining-room was that to go out by, which was always shut at night; cannot say whether that door was shut from the inside or from without, but it was always shut at night. In the chamber of the princess were two beds; in that of Bergami, but one. Three or four times witness saw Bergami come out of the princess's room, about eight or half-past eight in the morning, and while the dining-room was still closed; he wore a Polish surtout, with gold lace, drawers, and stockings. Witness saw, through a key-hole. The bed in Bergami's room appeared to have never been disturbed, while both the beds in the princess's room were tumbled. Bergami's sheets remained clean at the end of the six days; in the princess's room were two chamber-pots, and two wash-hand-basins; both the former appeared to have been abundantly used; made no observations on the latter. The princess went from Trieste, as she came, in the open carriage, without servants.

Cross-examined by Mr. *Williams.*

The servants followed almost immediately; is quite sure her royal high-

ness remained full six days at Trieste; but does not remember the day of the week on which she arrived, or that on which she departed. The door, through the key-hole of which witness looked, was secret, on the side of the dining-room it was covered with canvas. It was two years or three years after the visit of the princess, that witness was questioned respecting her conduct; the first inquirer was a person who came to the inn to dine; he asked witness, How did the princess conduct herself? Witness replied, "I have no reason to complain, she behaved well." Is a native of Asti, in Piedmont; was six or seven times at Milan; was examined at Milan about 18 months ago, by colonel Brown, Mr. Powell, and two other persons, whose names he does not remember; has been about a fortnight in England; came with Mr. Capper; was accompanied as far as Boulogne by one Andreazzi, a person appointed by colonel Brown to attend upon him. At Boulogne, Andreazzi gave witness eight gold Napoleons, and eleven francs; witness did not ask for any money; witness does not remember the date of the princess's arrival, nor that of her departure, nor whether a Sunday intervened. All these particulars could be ascertained from the book of the inn; the book is at Trieste. The princess was but once at Trieste; she went to Gorezzia.

Re-examined by the *Solicitor General.*

He looked through the key-hole of the private door to see the state of the room, in order that he might be punctual in his attendance.

EXAMINED BY LORDS.

By the Marquis of Buckingham.—Bergami's bed was the only one which appeared not to have been slept in; the only one from which the sheets were taken unsoiled. There were two beds in the princess's room upon her arrival, but they were not so near as they were afterwards placed.

By the Earl of Liverpool.—There was a small hole cut through the canvas which covered the secret door, at the key-hole; the hole was not as wide as the key-hole, because it was never necessary to apply the key from the side of the dining-room; it might be one-half as wide. Witness produced a key, the pipe about one-fourth of an inch in

diameter, and the ward, with the pipe, nearly three-quarters of an inch long [a large sized drawer key]; this, he said, was something wider than the key of the secret door.

By Earl Grey.—The canvas was fixed on the wall with nails; there was a separation between the canvas on the door and the surrounding wall, but it was not perceptible in the dining-room.

By the Marquis Lansdowne.—Did not make use of the secret door during the six days the princess was at Trieste.

By Earl Grosvenor.—The door only was covered with canvas.

By the Earl of Darlington.—The door was one inch thick; it opened into the dining-room.

By Lord Ellenborough.—The canvas on the door was painted of the same colour, and at the same time, with the walls of the dining-room.

[Lord Kingston, the Lord Chancellor, the Earl of Roseberry, and the Earl of Limerick also examined; but the answers to their questions were either immaterial or included in some of the foregoing.]—Witness withdrew.

George William Goltermann was sworn as an Interpreter.

Meidge Barbara Kress examined by the *Attorney General*.

Is a Lutheran, and the wife of Peter Kress; resides at Carlsruhe; has been married three years; previous to her marriage, lived at the post-inn, at Carlsruhe; left that service in consequence of her marriage; remembers the princess of Wales coming to the inn about three years ago; a person named Bergami came with her; there were three rooms, No. 10, No. 11, and No. 12; No. 10, was a bed-chamber, occupied by the princess; No. 11, was a dining-room; No. 12, was a bed-chamber, occupied by Bergami; No. 10, and No. 12, both opened into the dining-room, No. 11, which lay between them. The courier, who preceded the princess, directed that a broad bed should be prepared in No. 12 (Bergami's room); a change was made accordingly; witness was chamber-maid; the princess remained at the inn about a week or eight days. One evening, between seven and eight o'clock, as she remembers; witness went to carry some water into No. 12,

(witness cannot say where the princess and Bergami had dined on that particular day); when she went in, she discovered Bergami in bed, and the princess *had sat* on the bed; could not see whether Bergami had his clothes off, but his arm was white; when witness went in, Bergami had his arm round the neck of the princess, and the princess let the arm fall when witness entered; cannot say whether the white on Bergami's arm was the colour of his shirt, or of any other garment. On witness's coming into the room, the princess "had jumped up"—("Sie ist in die höhe.")

[A long discussion arose as to the proper translation of these words, whether they should be translated in the perfect, or, as they are given above, in the preterpluperfect tense. The effect of the translation in the perfect tense, would be to fix the alleged rising of the princess as subsequent to the entrance of the witness, while the translation in the preterpluperfect tense,—that most consonant to the analogy of the two languages—would imply that the princess arose before the entrance of the witness. The result of the discussion was the postponement of the examination, in order to give time to provide an interpreter on the part of the Queen.]

AUGUST 26.

Charles Kersten was sworn an Interpreter.

Meidge Barbara Kress's examination resumed.

The witness's last answer was read. After witness saw the princess of Wales sitting on Bergami's bed, she withdrew; before she withdrew, she saw the princess jump up; witness was frightened. Made up the bed in No. 12 (in Bergami's room); found a cloak in the bed; it was probably a woman's cloak, because it had a kind of capot (a hood); witness unfolded the cloak; this was at the time of making the bed in the morning. The cloak was of grey silk; the cloak was taken from witness by a servant; she saw a mantle worn next day by the princess of the same colour, but cannot swear it was the same cloak; it was likewise a silk cloak, and had a capot or hood like that she found in the bed; witness

also saw, when she made the bed, that the sheets were "wüste"; this word was variously interpreted; as an adjective, it means "in disorder." The witness being called upon to explain, said she meant "stained": witness is a married woman [witness here burst into tears]; has often made the beds of married persons. Being again asked what the stains were like, she said they were white and wet.

Examination in chief concluded.

Mr. *Brougham* said, he would ask this witness but two questions, reserving his right of cross-examination to a future stage. He contended for this, however, as a necessary consequence of the House having refused a list of the witnesses.

Mr. *Denman* followed on the same side.

The *Lord Chancellor* professed, that he could not conceive any thing more irregular than a second cross-examination. It might, perhaps, be allowed to ask the witness such questions, as would ascertain her rank, residence, &c.

Mr. *Brougham* consented to confine himself to a liberal adherence to this rule, hoping that his questions, if they at first appeared to transgress it, might not be hastily condemned.

Cross-examination by Mr. *Brougham*.

Was chamber-maid at the inn for a year and three-quarters; was not married at the time; she lived previously in service, in a village in the neighbourhood; was before that a servant at the court of the Grand Duke of Baden; is 25 years old; never was a servant before that time; was in another place at Carlsruhe; there used to cleanse the public room in the inn; was never in any other employment; has been in England two days and three weeks; came over with a courier; brought her brother along with her; he is about 28 years old; the courier paid all expenses; was directed to come over by the minister at Carlsruhe, Berckstett. M. de Geilling also spoke to witness; he is an officer of the court of Wirtemberg; spoke to her while she was still at the inn; M. de Reden, the Hanoverian minister, spoke also; has never been at Vienna upon this business; M. de Grimm, the Wirtemberg minister, spoke to her also; was at Hanover, remained six or seven

days; was asked whether she had seen such and such things; was paid for the time she had left; it was a small, a very small payment—from 16 to 18 ducats, (about 4 or 5*l.*); had but 12 florins (about half a-guinea) a year at the inn, but the perquisites were considerable; went on another occasion to Frankfort with the valet of the Hanoverian minister. Told the same thing that she told here; for going to Frankfort witness got 12 or 14 ducats (about three guineas); never got any thing else but from the courier; he gave her a ducat once; never promised witness any thing, because she said she would not go.

Lord *Lauderdale* interposed.—The course of examination now pursuing was wholly unjustifiable.

The *Attorney General* rose to object to the plan upon which Mr. *Brougham* seemed to be acting; namely, that the whole examination in chief should be gone through before any part of the cross-examination should commence: the effect of this rule, the attorney-general affirmed, would be to deprive the party to the Bill of the opportunity of explaining any apparent inconsistency elicited by cross-examination by subsequent testimony; and would unavoidably deprive the counsel for the Bill of the opportunity of summing up, until the whole case had been gone through.

On the suggestion of Lord *Ellenborough*, a proposition was ordered to be stated for argument by counsel in the following terms; namely, whether the House should depart in the present case from the ordinary practice of examination and cross-examination. As it was understood that the counsel against the Bill desired such a departure, they were to commence and to be followed by the counsel for the Bill.

AUGUST 28.

Lord *Manners* moved, "That the Lord Chancellor be directed to instruct the counsel against the Bill, that if at any time they should be desirous to re-examine a witness already cross-examined, they must state a case as the ground of that re-examination; and that if it should be the pleasure of the House to allow the re-examination, the questions must be submitted to the House, in order to their being put by the Lord Chancellor,"

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Counsel were called in, and the counsel against the Bill were ordered to state, whether they were desirous of proposing any and what departure in these proceedings from the usual course of cross-examination.

Mr. *Brougham* argued at great length for the right of cross-examining in part, and referring a further cross-examination.

The *Attorney* and *Solicitor General* argued at equal length against any departure from the usual practice.

Mr. *Brougham* replied.

AUGUST 29.

The Earl of *Harrowby* moved, "That counsel be called in, and informed, that the House consented, under the special circumstances of the case, to allow them to proceed in the examination in the way which they had proposed."—The motion was agreed to by a majority of 121 to 106.

Lord *Erskine* moved, "That the counsel for the Bill be instructed to deliver to her majesty's counsel a list of the remaining witnesses, together with a specification of the names and places to which their evidence was to apply."—The motion was rejected, by a majority of 164 to 63.

Cross-examination resumed.

Meidje Barbara Kress—Lives now with her brother in a private house, at the other side of the river. Nobody has given her any money, but that which she has already acknowledged; and all that has been promised to her is a compensation for her losses.—Witness told the minister, M. de Berckstett, that she should lose her place by coming to England, and that she must receive some compensation for it. M. de Berckstett replied, that "if she did not go voluntarily, she should be forced." After the princess left the inn, Herr Von Grimm, and another gentleman came in to look at the room, and walked about there. Herr Von Grimm had occupied No. 12, previously to the arrival of the princess: he removed to No. 13, on her arrival, and his brother continued to occupy No. 14. Herr Von Grimm is the ambassador of Wirtemberg; cannot say whether the princess dined at the inn any one day during her residence at Carlsruhe; saw the princess, Bergami,

and the rest of her suite going out twice in a carriage, but whether to court she cannot say. Has seen the grand duke, the *real* grand duke once, and but once, come up to see the princess. There was nobody in No. 12, when witness made the bed in it, but a servant in a green coat, who assisted her in turning the mattress. There were two servants dressed in green, and she cannot particularise which. After M. de Berckstett informed witness that she should be forced, if she did not come voluntarily to England, witness replied, "Well, then, I will go, and God may settle the business as he pleases; my husband will not allow me to go." When witness asked for a compensation (*entschadigung*), the baron said, she should leave it to the gentlemen, for he had no doubt they would recompense (*belohnung*) her for her journey. The perquisites of her situation at the inn vary, between 18 and 30 ducats the quarter. Immediately after witnessing the occurrence in No. 12, witness went to No. 5, the countess Oldi's room, and there* they were standing; did not go to satisfy herself that it was the princess, not the countess, whom she had seen with Bergami, but to carry water. Does not recollect ever having told any one, that her purpose was to see whether the countess was in her room. Was examined upon the subject of the present inquiry at Hanover by an ambassador, and at Frankfort by a gentleman.

EXAMINED BY LORDS.

By Lord Hood.—Did not communicate her observations to any one, until she was questioned by Grimm. He asked her into his room, and by repeated importunities, obtained from her what she had witnessed.

By the Earl of Lauderdale.—After witness made the discovery in No. 12, she frequently found the door shut in the evening, and placed the water before it; by shut she means closed and locked.

Giuseppe Bianchi sworn.

Is an Italian Swiss by birth, and has been 14 years door-porter of the inn Grande Bretagne, at Venice; about

* The antecedent to this pronoun was not explained.

five years ago, the princess of Wales was for three days an inmate of that inn. After dinner one day, as the company were rising, a jeweller came in, and the princess purchased from him a gold chain, a Venetian chain, which is called a *Manina* of gold. Bergami, in his courier's dress, stood, during dinner, constantly behind the princess's chair, to change her plate. After the company had retired, the princess got up, took the chain from her neck, and put it round the neck of the courier. He took it from his neck, and put it again round her neck. Then he took her by the hand, and led her to the room, where they went to drink coffee. He brought her to the door, squeezed her hand, and went away to dinner. The second time the princess was at Venice, she always walked out arm in arm with Bergami; they went frequently on the canals, twice alone; Bergami gave her his hand to assist her into the gondola, as witness did.

Cross-examined by Mr. *Denman*.

Was in the room when the affair of the gold chain occurred. "Therefore the princess and Bergami must have seen you?" "I was there." Was examined at Milan by colonel Brown and Vimercati; travelled from Venice to Milan with one Andreazzi, a commissary, who came for him, and paid all his travelling expenses. Has received nothing for coming to England, but his travelling expenses. They have told him he is to receive nothing, but to come to London to tell the truth. "If they give him any thing, he will take it; if not, he will go without;" since he came to England, he has lived in company with 25 more; Teodoro Majoochi is one of them. All the 25 breakfast and dine together. The jeweller who sold the chain, is named Fana. Witness does not know what power colonel Browne, or his commissary Andreazzi, had to send him to England; Andreazzi has no office; he is a Swiss of Bellinzona.

AUGUST 30.

Paolo Raggazoni sworn.

Is a native of Italy; resides at Biar-go, in the Varese territory; is a mason by trade, and was employed to execute some work for the princess of Wales,

at the Villa d'Este. Has seen the princess along with Bergami in a canoe upon the Lake more than twice. Has seen them alone in the garden, walking arm in arm; has seen the baron pushing the princess forward in a wheel chair, and the princess afterwards pushing the baron in the same chair. Was once at work in a grotto, making a cornice in a round room; there was an adjoining room behind; while witness was at work, he heard somebody enter, and put himself under the scaffold to see who it was. He then saw the princess and Bergami come in; there were two figures, the figure of Adam on the right, and the figure of Eve on the left; and Adam had the leaf of a fig below the navel, and they looked at those figures of Adam and Eve, and they laughed together; there was also a fig-leaf on Eve; each was fastened on with a little wire that went round the figure, and the princess and Bergami put aside the leaves to see what was underneath. All the time witness was behind a pilaster; the figures were behind the room in which witness was at work, at a distance of ten or twelve yards. "Here was the room of Adam and Eve, then there was a small corridor; at the bottom there were two doors, one to the right, and the other to the left; between them was a pilaster, and behind that pilaster witness concealed himself." Remembers an entertainment at the Villa d'Este on Saint Bartholomew's day; after the entertainment, was returning in company with Domenico Brusa to his residence, at Il Paese, at half-past one (half-past nine English time) at night; passed through the garden of the Villa d'Este, and observed the princess and Bergami sitting upon a bench. Has seen the princess and the baron performing at the theatre, the princess acted the part of the sick lady, the baron the part of the doctor.

Cross-examined by Dr. *Lushington*.

Was examined upon this subject in 1818, at Milan, by the advocate Vimercati; does not know who else was present; was summoned by one Restelli, who had been once a courier in the service of the princess. Employed from 14 to 20 masons at the Villa d'Este. Took an oath upon the cross at the time he was examined by

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Vimercati; did not receive the value of a pin for going to Milan. Was directed to come to England by his government; was reluctant to come, on account of his wife, and children, and aged parents. Came from Milan in the conduct of Restelli, the courier; was accompanied by Domenico Brusa, and Enrico Bai.

Gerolamo Mejani sworn.

Is an Italian, and a writer by profession; was employed by the princess of Wales, as superintendant of her gardens at the Villa d'Este, at the end of 1816, and beginning of 1817; knew Bergami at Monza, before he was in the service of the princess; he was then in very poor circumstances; he was employed in the Excise-office, to put the excise mark on the wine casks, under the orders of the officer. Has seen the princess alone with Bergami, in a canoe on the Lake. Has seen Bergami driving the princess in a padovanello, a narrow carriage in which her royal highness was necessarily seated upon Bergami's knees, his arms being about her waist. Has seen them walking together arm in arm; once saw them kissing at the gate between the gardens; whether they kissed on the mouth, or on the cheek, cannot say.

Cross-examined by Mr. Tindal.

Was examined at Milan, by the advocate Vimercati, and some other gentlemen; resides at Monza, about 10 miles from Milan; received from the gentlemen at Milan, for the journey, and loss of two days there, 20 francs and his expenses. Knew Restelli in the princess's service; knows nothing of Restelli's having been dismissed for stealing corn. There are many villages and houses surrounding the Lake of Como, and an active commerce is carried on upon it.

Paolo Oggioni sworn.

Is a native of Lodi; was retained as under cook in the service of the princess of Wales, in 1817; knew Bergami previously, sometime between 1805 and 1809; saw him in prison at Lodi. While in the princess's service, frequently saw Bergami walk arm in arm with the princess; has seen them come down to the kitchen together, to get something to eat. Remembers

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the balls at the Barona; the innkeeper's wife of the Christopher, and the daughters of the tenant of the farm, and generally low people, attended these balls, but none of the neighbouring nobility came to them. The princess danced at the same time with the country people, sometimes alone, sometimes with Bergami. Has seen Mahomet perform his dance before the princess. [Witness here imitated the dance, bending his body, and snapping his fingers as Majoochi had done.] Mahomet made a roll of his trowsers in the front of his person, and moved it so [making an indecent motion]; the princess looked at Mahomet, and laughed.

Cross-examined by Mr. Wilde.

Was not discharged for drunkenness; was discharged with six other servants, when the princess set out for Rome. Was examined upon this business at Milan; the person who examined him read a paper.

EXAMINATION BY LORDS.

By the Marquis of Lansdowne.—The princess never sent for Mahomet. The roll seemed intended to represent a man's yard. When this was performed, the princess did not retire, but remained some time, and laughed.

Lord Combermere asked, "Did any thing particular occur to you upon your first arrival at Dover?"—*Witness* "Yes."

Lord Combermere.—"State what it was." [Mr. Denman objected, on the ground, that the question was irrelevant, and did not arise out of the cross-examination. — The House decided that the question should not be put.]

Louisa Demont sworn.

Is a native of the Pays de Vaud, Switzerland, and a Protestant; entered the service of the princess of Wales, as first femme de chambre for five years; engaged with her royal highness at Lausanne. [Witness here enumerated the persons composing the princess's suite, when she first entered Italy.] Travelled from Lausanne to Milan. About a fortnight before she left Milan, her royal highness hired Bartolomeo Bergami as a courier; during the remainder of her residence at Milan, Bergami waited at table. From Milan the princess travelled

by Rome to Naples; previously to her arrival at Naples, William Austin generally slept in her royal highness's room. The night before she entered the city of Naples, her royal highness slept in a country house. Cannot say whether William Austin slept in the princess's room that night, but remembers the princess saying that same evening, that he had become too big a boy to sleep any longer in her room, and must have a chamber to himself. Up to this time, Bergami always dined at the same table with the witness, and the other servants of her class; does not know what room was allotted to him [Bergami] on the night of their arrival at the city of Naples. On the night after, he occupied a room communicating with that of the princess, by a cabinet and a passage; there was a door from the passage, opening to the rest of the house; but when that door, and the doors of the princess's room, and Bergami's room were shut, these two rooms, the cabinet and the passage were cut off from the rest of the house. On the evening after her arrival at Naples, the princess went to the Opera; she returned, as it seemed to witness, rather early; she proceeded in the first place to her bed-chamber, and afterwards to the cabinet; she directed witness to forbid William Austin to follow her, as she wished to sleep quietly. Austin slept that night, and every subsequent night, in another adjacent cabinet, shut out by a door, always closed from the princess's room. There were two beds in the princess's room, one a small travelling bed, in which she usually slept, and a larger bed, which was that night unprovided with sheets. The princess seemed extremely agitated, and, contrary to her usual practice, dismissed witness immediately after she had attended her to her chamber; this was about 11 o'clock, the princess's usual time of retiring. Next morning, witness observed, that the princess's small bed had not been lain in, but that the large bed was, although not much, deranged. Bergami slept in his room (already described) during the whole residence at Naples; Mr. Hieronymus, only, slept at the same side of the house. Mr. Hieronymus's door was in the same passage with the door of the princess's chamber. Has never seen any other person but William

Austin and Bergami admitted to the princess's dressing-room, when she used to be making her toilet; the former was about 12 or 13 years old. Bergami was still courier. Has several times seen Bergami admitted upon such occasions, the princess being sometimes dressed, sometimes undressed. One night when the princess was undressed in her bed-room, but not in bed, remembers seeing Bergami in his shirt and slippers, coming along the passage towards the princess's room. Witness, who was standing at the door of the princess, was alarmed, and escaped by the little door, which was near to her, out of the apartment of the princess. On the second night, the large bed had the appearance of more than one person having slept in it; on the subsequent nights, witness always made the same observation. Towards the latter part of the princess's residence at Naples, it was always the duty of witness to make her bed. Remembers a masked ball given by the princess to Murat, it was in a house near the sea-shore; her royal highness dressed in a small room on the second floor. The princess first appeared as a Neapolitan peasant; witness assisted her in dressing for that character. In about an hour, she returned, and changed her dress entirely, assuming the character of the Genius of History. Upon this occasion, the princess was accompanied into her dressing-room by Mr. Bergami, witness waiting without in the anti-room. In about three quarters of an hour (as witness supposes) Bergami came out, and very shortly after the princess. As the Genius of History, the princess had her arms bare, and her breasts bare, and her drapery in the same way as people represent the Muses, or the Genius of History; cannot say whether the arms were completely bare. The princess again returned, and put on the disguise of a Turkish peasant. While she was arranging this third dress, Bergami was in the anti-room, preparing himself to represent a Turk; they went down together arm in arm; Bergami was still a courier. There was a small garden attached to the house at Naples; the princess used to walk in it with Bergami; has seen her royal highness walking there, under Bergami's arm. The princess used to

breakfast in the small cabinet, leading to Bergami's room; witness has never seen her at breakfast; remembers that Bergami met with an accident; cannot say for what purpose a sofa was placed in the cabinet, but has seen Bergami seated upon it; went once with the princess to the theatre San Carlos. The princess, Bergami, and witness, went in a hired carriage; the night was wet and gloomy; the princess was dressed in a large red cloak, Bergami in a red domino, with a great hat; when they got into the pit, a number of ugly masks gathered about them, and hissed: the princess's dress was monstrous, ugly* (*laid*); though they were compelled to retire by the hissing, they had great difficulty to withdraw.

The princess remained three or four months at Naples, and during that time, though Bergami continued to wait at table, a remarkable familiarity was observable between him and his royal mistress. [Witness described the separation of her royal highness's English suite, as stated in the attorney-general's speech, and the relative situations of the princess and Bergami's bed-chambers at Genoa, as detailed in the evidence of Teodoro Majoochi.] At Genoa, the princess breakfasted in a small cabinet, at the end of the great saloon; witness saw Bergami twice at breakfast with her there; Bergami was still courier; they were waited upon by Louis Bergami and Teodoro Majoochi; has seen the princess and Bergami walking in the garden at Genoa; they were sometimes alone, sometimes attended by Majoochi, sometimes by Austin; there was nothing particular in their manner. At Genoa, witness slept in a room adjoining to that of the princess; the princess always locked the door between them at night. Bergami's bedroom was on the opposite side; most frequently (*plus souvent*) the princess's bed appeared in the morning, not to have been occupied at night. After the door was locked by the prin-

cess at night, witness has heard a noise, as of a door opening into her royal highness's apartment. Besides the doors opening into the room of the witness and Bergami, there was a third door from the princess's room, into a dressing room; after the noise of the door opening, witness observed, that all was quiet. It was witness's duty to arrange the princess's bed; it was almost every morning in the state in which it had been left upon the preceding night. At Genoa, Louis the brother, and Faustina, the sister of Bergami, and his aged mother, who was called "Nonna," or the "granny," were received into the family; also the infant Victorine, a child of about three years old, and the daughter of Bergami. From Genoa the princess went to Milan; she travelled in a carriage with William Austin; Bergami rode as courier, and the princess frequently invited him to take refreshment on the road. The princess occupied the Borromean palace at Milan; Bergami's bed-chamber was near to her's. A few days after, lady Charlotte Campbell retired from the service of the princess [this occurred at Milan], the countess Oldi was introduced; before she came the princess told witness, that the countess wished to come into her service, as a dame d'honneur, at the same time saying, that she was a noble lady; she was, in fact, the sister of Bergami. The princess also said, that people described the countess as pretty, or handsome. The countess was afterwards introduced; she could speak no French at all, and her Italian was extremely vulgar. At Milan, saw Bergami wear a blue silk robe, which had previously belonged to the princess. After Mr. Burrell left her royal highness, there was more freedom in the House.

AUGUST 31.

George Pinario was sworn an Interpreter on behalf of the Bill; and Edgar Garston on the part of the Queen.

Louisa Demont's examination continued.

While the princess was at the Villa Villani, she made a tour to the Borromean islands; witness thinks that the princess stopped to dine at an inn

* Lord Hampden, who probably expected from the question, that the answer would have been "*leste*," (indecent) observed, that the translation was inaccurate; upon being assured that the answer was "*laid*," he acquiesced.

on the road; witness was more than once at the Borromean islands with the princess; the princess slept there on all these occasions; the first time was in a most elegant apartment prepared for her in the Borromean palace; on the second visit the witness saw the apartment that had been prepared for the princess, but the apartment which the princess occupied was at a distance from it, and near to that of Bergami; it was a large room; witness does not recollect whether it had any communication with the apartment occupied by Bergami. Remembers the princess going to Bellinzona; saw Bergami dining with the princess at her own table; he was dressed like a courier, but witness does not remember whether he acted as a courier; he did not ride, but went in the carriage. In September the princess went from the Villa Villani to the Villa d'Este; at the Villa d'Este, in approaching the princess's chamber, you entered into a dark anti-room, then a corridor, then two rooms which communicated with each other, and one of them with the bed-room of the princess; the sleeping-room of Bergami communicated with the first anti-room, and with the sleeping-room of her royal highness, through a very small cabinet, in which nobody ever slept; when the door from Bergami's room into the dark anti-room was closed, there was no other approach to Bergami's room, but through the small cabinet; the princess usually went to bed at eleven, but sometimes later; sometimes when witness was alone in the princess's room, her royal highness used to come in accompanied by Bergami—they came through the two rooms described; Bergami did not use to remain long; sometimes he passed out through the two rooms; sometimes through the small cabinet; witness used to undress the princess every night, and retire through the two rooms; the princess often accompanied witness as far as the last door, she then used to lock the door inside; this has happened when Bergami was in his own apartment, but never when he has been in the apartment of the princess; witness attended the princess in the morning; has observed the door from her royal highness's room into the cabinet half open; has not seen Bergami when witness went to call the

princess; has sometimes seen Bergami at his door calling his servant; has seen the princess at the same time standing at the second door, the princess dressed in her morning mantle, Bergami in a blue silk morning gown, which the princess had given him. They were about 20 paces asunder; they used to talk together; this happened several times; has seen the princess and Bergami often alone on the Lake together. Has seen them also walk together, sometimes arm in arm: remembers the little Victorine at the Villa d'Este; she used to call the princess *mama*. At the princess's first residence at the Villa d'Este, Bergami generally dined at the servants' table; once witness remembers he dined at the princess's table; remembers once the princess came to the servants' table; Bergami, his mother, and witness were at dinner; the princess sat down by Bergami. Hieronymus shortly after was heard coming, when the princess said, "I hear Hieronymus in the kitchen, I must go." Accompanied the princess in her voyage to Greece; went once into the princess's cabin; the princess was in bed; does not know whether Bergami had been in the cabin or not. Remembers the princess going to court at Palermo; Bergami went with her, but whether in the same carriage witness does not know; remembers the bed-room of the princess at Messina, it communicated with the apartment of the countess Oldi, and that with the room of Bergami; witness here observed a striking change in the manner of the princess in addressing Bergami at parting; sometimes called him my heart (*mon cœur*) and my dear friend (*mon cher ami*); when Bergami upon one occasion made a short journey, the princess at parting used the expression—"Adieu, my dear friend, take care." On these occasions witness has heard them kiss, but not seen them at the time. Went on board the *Clorinde* from Messina to Syracuse; saw Bergami once in the princess's cabinet, the princess was lying on her bed, and Bergami on another bed beside her; Bergami was lying down; this was in the day-time. At Syracuse the princess resided in a small country house at the other side of the Port; witness and the countess Oldi occupied a room communicating with the dining-room,

the gentlemen the other room on the same side of the dining-room; on the other side were two rooms only, the one occupied by Bergami, and the other by the princess; they communicated by a small staircase; there was a door from the princess's room into the dining-room; the princess used to lock it at night; there was still a door open to the staircase from the princess's room; does not remember any accident happening to the princess's bedstead or bed at Syracuse; from Syracuse the princess went to Catania, where she lived in the town; there was an alteration made in the bed-rooms; at first the princess's bed-room communicated with the saloon; witness's bed-room was next to that of the princess's, on the other side of witness's room was the countess of Oldi's; Bergami's room was at the other side of a little court; Bergami remained there for some short time, which witness does not remember; Bergami was afterwards indisposed, when he was removed to the room of the countess Oldi; witness continued to occupy her own room; one night the princess went to bed before witness; witness does not know whether it was the next morning, or the morning next but one, she saw the princess come out of the countess Oldi's room in her night clothes, with a pillow in her hand; her royal highness usually wore at night a little white night dress; in the morning she sometimes had in addition a small silk robe; after Bergami had moved to the countess Oldi's room, the countess slept in the princess's room, in a small bed; little Victorine also slept in the princess's room in the night; the morning on which she saw the princess come out of countess Oldi's room, witness heard Victorine cry; witness does not remember how long it was before this morning that Bergami had moved into the countess of Oldi's room, but thinks it was not more than one or two days before; witness thinks he remained there three or four days after; he was sleeping there at the time the princess brought the pillow out; witness remembers the door of the princess's apartment being open one night, but cannot say whether it was the night before that morning; at the time the princess brought out the pillow, she looked at witness earnestly,

and went to her own room without saying any thing; witness had not been in the habit of being so late as ten o'clock (the time she saw the princess come out); witness usually went to breakfast at ten o'clock; the room of the princess and the room of the countess of Oldi were never opened before nine; when witness returned from breakfast she always found the doors shut, but sometimes the princess was up in her own room. When she heard Victorine crying, the infant was calling mama, and the countess Oldi endeavouring to appease her; witness thinks her sister was in the room with her when the princess passed with the pillow. The princess usually addressed the servants, the first time in the day, with good morning, but on that morning she said nothing. Remembers the princess's picture being painted at Catania, and also at Augusta; in one she was represented as a Turkish woman, in the other as a penitent Magdalen; in the latter she was drawn as naked to the middle downward; the neck (gorge) was bare; the uncovered part extended below the breasts; there was another portrait taken of her royal highness in her ordinary dress. Witness afterwards saw the portrait of her royal highness in the character of a Magdalen, in the possession of Bergami; saw a portrait of Bergami taken at Naples; Bergami showed it to her; also saw his portraits which were taken in Sicily; one of these was in his ordinary clothes—the other as a Turk—the upper part of the dress open. Saw one of Bergami's portraits in a little box belonging to the princess; the princess once made up a turban for Bergami. At Catania Bergami was made a knight of Malta; at Augusta he received the title of Baron Francina. At Augusta a change was made in the bed-rooms, by which the room of Bergami was appointed near to that of the princess, with which it communicated by a door. Witness's apartment was next to Bergami's, with which it also communicated by a door. This last door was always closed at night, and witness has, upon more than one occasion, heard Bergami proving the lock of it; has also heard a whispering in Bergami's room at Augusta, after she has retired to rest. Does not know where the princess was accustomed to

breakfast at Augusta, once saw a tray in Bergami's room; saw the princess arrange the upper part of Bergami's dress for another picture, opening his shirt collar. Her royal highness observed upon that occasion, that she liked him or it better so. [*Je l'aime mieux comme ça*].—Went with the princess on board the polacre. [Witness described the change made in the arrangement of the cabin on the voyage outward, as Majoochi, Gargiulo, &c. had done.]—Never saw more than one bed in the dining-cabin; that was occupied by Bergami. Has seen Bergami in bed, and the princess in bed at the same time, the door of the princess's cabin being open between them; has twice observed them conversing in these circumstances. The door of the dining-cabin used to be shut at night, but witness cannot say that it was locked. At Tunis, the princess and Bergami occupied contiguous apartments, communicating through an unoccupied room and a cabinet; cannot say that these rooms could be shut up from the rest of the house. At Utica, saw Bergami go into the princess's chamber; witness went afterwards, being called, to the princess's door, and saw that her royal highness was still in bed; does not know where Bergami slept at Utica. At Zavouan the princess's bed appeared in great disorder, as if two persons had slept in it; does not however say positively that it was occupied by two persons. On the journey to Jerusalem, they slept under tents at Aum. The princess occupied a double tent; the interior tent contained two beds; on the first night the princess reposed, undressed, in one of these beds, and witness saw Bergami without his coat, but in other respects dressed, lying upon the other. The tent was shut close as soon as witness withdrew, after dressing the princess. The second night witness thinks her sister undressed the princess. At Jerusalem, the bed-rooms of the princess, of Bergami, and the countess Oldi, were in the same gallery, as witness thinks, they were the only rooms in that gallery. At Jerusalem, saw Bergami fling himself upon the princess's bed in a ludicrous jesting way; saw the princess and Bergami in the morning conversing in the gallery at their respective doors. On the voyage from

Jaffa, homeward, the princess and Bergami slept under a tent on the deck. Witness did not assist in undressing her royal highness during this voyage; recollects the princess bathing twice during the voyage; Bergami assisted her going down; in three-quarters of an hour he came up, and directed witness to go down and dress her royal highness; witness went down, and found the princess standing in her bed-gown; saw Majoochi with pails of water in his hand at the door. During the voyage, the princess used to employ herself working for Victorine; Bergami used to spend the day lying on the small bed under the tent; sometimes he amused the princess with buffoonery. The countess Oldi made some shirts for Bergami during the voyage; Bergami said he wanted these shirts made; the princess said she would make them; Bergami smiled.—[Witness described the institution of the Order, &c. at Jerusalem.] After the princess returned to the Villa d'Este, a change was made in the rooms. The princess's room had an interior communication with that of Bergami; a door-way was broken through the wall for the purpose of effecting it. The princess's new bed-room communicated with the rest of the house only by a corridor, the door of which was always shut at night. After the return from Greece, a table, distinct from that of the servants, was established for the relatives of Bergami. Bergami's mother, formerly known in the house as "the Granny" (*Nonna*), was called Donna Livia. Louis Bergami acted Harlequin to the princess's Columbine. When Bergami came into the service of the princess he wore ear-rings, which witness afterwards saw, together with Victorine's ear-rings, in the ears of the princess. The princess made presents to Bergami of jewellery. Her royal highness had a cap made at Naples similar to his courier's cap; has several times seen different articles of Bergami's dress, a black handkerchief, his slippers, &c. &c. in the bed-room of the princess. Before she went to Greece, about three weeks, the princess made a visit to general Pino. The room in which witness slept communicated by a door with the apartment of the princess. After witness had lain down, she saw Bergami, by the light of a small night-lamp, passing

through her room into that of the princess; witness fell asleep, and therefore could not observe when he returned. At the Barona or Villa Bergami, a house and estate which the princess bought for Bergami, their bed-chambers communicated by a corridor, and were capable of being secluded from the rest of the house. About the time of the second visit to the Barona, the princess began to call Bergami "thou" (toi), and he to address her "princess;" all the rest of the household called her "your royal highness." The balls at the Barona were attended by low people, but witness never saw any thing particular in their conduct before the princess. The princess took a journey through the Tyrol into Germany. At Scharnitz, the princess had to pause, while Bergami went forward to Innspruck to make some arrangement respecting passports. Bergami went in the morning, and at about ten o'clock the princess retired to rest, the witness occupying a small bed on the floor of her royal highness's room. In about two hours, or two hours and a half, Bergami returned, and the princess directed witness to take her bed and withdraw, which she did. Bergami came into the princess's room as these orders were given, and witness thinks she left him there. The princess went to Carlsruhe [Witness described the relative situations of the bed-chambers as Barbara Kress had done]; from Carlsruhe, they went to the baths at Baden. Witness went into the princess's bed-chamber at the last-named place by twilight; she saw the princess and Bergami sitting upon a sofa, or adjacent chairs, Bergami's arm being round the waist of the princess, and the princess's head resting upon his person. The princess did not go to court at Vienna. She travelled from Vienna to Trieste in a low open carriage, driven by Bergami. After the return to the Barona, Bergami's mother and brother dined at the table of the princess. The princess was indisposed at Rimini. At Rufinelli, the bed-chambers of the princess and Bergami were contiguous, and communicated internally. Bergami was indisposed at Rufinelli, and the princess visited him in his bed-chamber more than once. From Rufinelli, the princess, Bergami, and witness, travelled in the same carriage to

Rome, Bergami sitting in the middle. Recollects nothing particular respecting his arms or hands. At the Villa Brandi, busts were taken of the princess and Bergami. The bed-rooms of the princess and Bergami were in the same gallery; their respective entrances were above 15 yards asunder. The princess used to dress in her bedroom. Bergami was sometimes present when she was dressing; she once changed her dress in his presence. From the Villa Brandi, the princess went to Sinigaglia and Pesaro; at the Villa Caprili, the first house which the princess occupied at Pesaro, the princess's bed-chamber was near to, and communicated with, that of Bergami. The princess had a cabinet, in which there was a sofa; witness once saw Bergami lying upon this sofa, and the princess sitting on the edge of it. Once saw the princess in pantaloons, her neck and breast being uncovered; Bergami was present, and, looking at her R. H. said, "How pretty you look; I like you much better so"—Villa Caprili is about three miles from Pesaro. Once Bergami was going to Pesaro from the Villa Caprili; he and the princess joined hands, and the princess said, "Adieu, mon cœur, mon ami," and Bergami replied, "Au revoir, princesse." Up to her first leaving Naples, the princess had divine service performed in her family every Sunday, but never after. She went to the churches of the country with Bergami; and witness once saw her fall on her knees beside him. She also told witness that she intended to have masses said for the soul of his father. The princess was occasionally visited by the neighbouring nobility at the Villa d'Este and Villa Villani, more frequently at first than afterwards. The princess told witness that she (the princess) had been rejected when proposed for admission into the Casino, at Pesaro. Remembers the garden wheel-chair, and Bergami playing with the princess, pushing it back and forward at the Villa d'Este. The morning after the Opera at Naples (the second morning after the princess's arrival), the princess rose between ten and eleven o'clock, and retired for an hour, or nearly an hour and half, into the small cabinet above described. Witness does not know where Bergami was at the time when she passed Bergami's chamber; she

always observed that the outer door was shut.

FRIDAY, SEPT. 1.

Louisa Demont cross-examined by
Mr. *Williams*.

Has been in England 13 months; cannot speak English, but understands it a little; understood a few of the shorter questions of the solicitor-general. Coming to England, she assumed the name of Columbier, her native place; and was once by one person only called countess Columbier; never claimed the title herself. When asked respecting the large bed at Naples, did not give a particular description, because she did not think a particular description had been demanded of her; was now ready to explain exactly the state of the bed. The door of Hieronymus's room at Naples was in the same corridor with the door of the princess. [Afterwards explained to be a different corridor from that communicating with Bergami's room.] Does not know where the servants of sir W. Gell and Mr. Craven slept at Naples. Witness does not know where Mr. Craven's servant slept any one night [Witness was a good deal pressed upon this point, but persisted.] Witness herself slept in a small room above the princess; Annette Preising slept in another. Witness always lay alone in her own room the whole night, and every part of it. [This inquiry was urged as obstinately as the former.] Cannot fix the time when she saw Bergami coming undressed towards the princess's room. They were four months at Naples, and witness cannot say whether it was the first, second, third, or fourth month; in endeavouring to escape (as she called it), witness was obliged to approach a few paces nearer to Bergami. She was standing at the princess's door, waiting her royal highness's dismissal for the night; she had no candle, though she was about to retire to rest; Bergami had a candle in his hand. The king of Naples had lent the princess a palace for the masked ball. The queen of Naples retired from illness early in the evening; there were several ladies of the court, and of high rank, present. Witness saw several costumes, but cannot say whether she saw a lady dressed as Victory. She did not go down to see the perform-

ance. Did not see Sicard or Hieronymus, or any other part of the suite, until towards morning; did not see any of the princess's attendants dressed as Turks. The princess travelled from Jaffa to Jerusalem upon an ass. Witness's sister travelled in company with the princess in the same way, but witness and the countess Oldi travelled in a palanquin. The princess rested by day, and travelled by night. When the princess retired to rest, she threw off her outer dress, and lay down in a white gown, or petticoat (*jupe*) alone. Witness's sister waited upon the princess. They took on board a Jew harper, at Tunis. Believes he slept at the other end of the vessel from witness. Witness does not know with certainty where he slept any one night, or any part of a night, during the voyage. [This inquiry was urged with the same importunity as that respecting Mr. Craven's servant.] When the princess stopped at Scharnitz for the passports, it was in the month of March, and a very snowy day. In the daytime, the princess had lain down in a blue travelling dress, very much furred, and witness is not aware that she changed that dress during the day. Believes that she (witness) had not taken off more than her gown, when she lay down on the small bed in the princess's room. Witness was discharged by the princess in 1817; was discharged for saying something which was in fact untrue. Did not go into any other service, because she had in Switzerland funds of her own, upon which she lived. About a year after she had left the princess's service, and not before, she was applied to upon the subject of the present inquiry. It is not true that she was applied to immediately after. [Witness was here desirous of offering an explanation.] She had written to her sister, making some allusion to such an application, shortly after her dismissal, but that was a "double entendre." Does not remember whether she has ever said that the princess was surrounded with spies. Has seen baron Ompteda, and spoken with him once at the Villa Villani. The baron made several visits to the princess; one of three or four days, and others of shorter duration. The princess made a complaint of his conduct upon occasion of one of those visits, but witness does not remember

what was the particular subject of this complaint; she herself took no part in the quarrel. Does not remember to have written a challenge for Mr. Hownam. [A letter was here shown to the witness, folded down.] She could not say that it was her hand-writing; it seemed rather unlike the character of her hand. Left the princess in November 1817. At the time she left her, she knew all respecting the conduct of her royal highness, which she has detailed.

Mr. *Williams* then proceeded to examine the witness as to a number of expressions respecting the princess, all conveying the warmest eulogies upon her; to each of these, the witness answered, that she probably had written or spoken to the effect of the passages quoted, but she could not recall the particular form of expression.

The *Attorney General* objected to the course of examination pursued by Mr. *Williams*. It appeared that he was cross-examining as to the contents of a letter, which should only be opened to the House, by proving the letter itself, and afterwards reading it as a part of the Queen's evidence.

After a discussion of some length, the following two questions were referred to the Judges:—

“Whether on cross-examination a party would be allowed to represent in the statement of a question the contents of a letter, and to ask the witness, whether he wrote such a letter to any person with such contents, or contents to the like effect, without having first shown to the witness the letter, and having asked the witness whether he wrote that letter, and his admitting that he wrote such letter?”

Secondly, “Whether when a letter is produced, the Court would allow a witness to be asked, upon showing the witness only a part of, or one or more lines of such a letter, and not the whole of it, whether he wrote such part, or such one or more lines; and in case the witness shall not admit that he did, or assert that he did not write the same, he can be examined to the contents of such a letter?”

The learned Judges (by the mouth of the lord chief-justice Abbot) answered the first question in the negative, on the well-known rule of law, that the contents of a written instrument should be always proved by the

production of the instrument itself; one of the reasons of which, his lordship observed, was this: that in such a case as that which gave rise to the question, the cross-examining counsel might put the Court in possession of only a part of the written paper, and thus the Court may never be in possession of the whole, though it may happen that the whole, if produced, may have an effect very different from that produced by the statement of a part.

With respect to the second question, the judges divided it. The first part of the question, whether “the Court would permit a witness to be asked, showing only a part of a letter, whether he wrote such part?” They answered in the affirmative; and the second part of the question, namely, whether, “in case the witness shall not admit that he did, or did not write such part, he can be examined as to the contents of that letter?” They answered in the negative. This opinion of the judges being adopted by the House, and communicated to the counsel on both sides, Mr. *Williams* handed in three letters, which were admitted by the witness to be of her hand-writing.

The *Attorney General* objected to any questions being put upon the contents of these letters, inasmuch as the written instruments should have been themselves produced.

After a short discussion, the following question was referred to the Judges:—

“Whether, when a witness is cross-examined, and upon the production of a letter to the witness under cross-examination, the witness admits that he wrote that letter, the witness can be examined in the courts below, whether he did or did not in such letters make statements such as the counsel shall, by questions addressed to the witness, inquire, are or are not made therein, or whether the letter itself must be read as the evidence, to manifest that such statements are or are not made therein? And in what stage of the proceedings, according to the practice of the courts below, such letter could be required by counsel to be read, or permitted by the court below to be read.”

To this, the Judges replied (by the mouth of the lord chief-justice Abbot), “that counsel were not at liberty to

ask questions with respect to the contents of a document, until the document had first been read. And according to the ordinary rule of evidence, the document should be read as part of the evidence of the counsel producing it; and in his turn of examination, after he has opened his case; but in a case where the production of a document, at any earlier period, tends to elucidate a cross-examination, then, for the furtherance of justice, the general rule is dispensed with, and the document is permitted to be read at the suggestion of counsel; still, however, considering it as the evidence of the counsel producing it, and subject to all the consequences of having it considered as part of his evidence."

Examination resumed.

Witness (Louisa Demont) came to England, accompanied by Mr. Sacchi, a friend, Krouse, a messenger, and one of her sisters; was examined at Milan by Vimercati, the counsellor, and three other gentlemen; states upon her oath that she expects nothing for coming to England.

SATURDAY, SEPT. 2.

Louisa Demont was again brought forward.

Cross-examination resumed.

After leaving the princess's service, witness went to her mother's house in Switzerland; remained there about 13 months; went from thence to Milan; returned to Switzerland; remained there 3 months; came to England; Mr. Sacchi came for her to go to Milan; Sacchi was a military man, but what he is now witness does not know; knew him first in the princess's service; does not know what service he was in when he came to look for witness to go to Milan, —this was a year ago last December; it was about the beginning of 1819. Up to that time witness had lived with her mother, and continued to do so three months more, and then she came to England. Her expenses were paid to Milan, and nothing more. All the time from leaving the princess's service witness has lived upon her own funds; her expenses have however been paid in England; witness was examined only once at Milan, but was several days undergoing this examination; the days were successive; wit-

ness has not been examined since she came to England, but has been once sworn by a magistrate at the house of Mr. Powell; this was about 2 months ago. Witness saw her own paper at Mr. Powell's house. Witness has signed a deposition, but she does not know whether that was the one she saw at Mr. Powell's; the paper contained the witness's evidence; Mr. Powell examined witness in Italy; Mr. Powell never examined witness at any time in England, though he has seen her as many as 20 times in England. Mr. Powell did not visit witness upon the subject of her evidence; witness cannot say, whether Mr. Powell never spoke about her evidence, because she does not remember; witness was regularly sworn by a magistrate in Mr. Powell's house.

Mr. *Brougham* interposed. He objected to the farther examination of a witness produced under the obligation of a double oath. He demanded of the House, whether such was not a gross violation of the ordinary administration of justice.

The *Lord Chancellor* observed, that the objection clearly did not go to the competency of the witness; and if it were directed against her credit, this was not the proper period for counsel to avail themselves of it.

Mr. *Brougham* then caused the letters to be read, which are as follow:

"*Columbicr*, 8th Feb. 1818.

"Dear and good Mariette;

"Although you have not said four words in your last letter, yet I love you too well not to pardon you for it, and it is with real pleasure that I reply to you. I am enchanted, my good sister, that you are perfectly happy; but I ought not to doubt it, so well as I know the extreme goodness of her royal highness, and of all those with whom you may have any thing to do. Endeavour to preserve always such valuable kindness, by continuing the same way of life which has procured it for you. May experience not be useless to you! and keep always before your eyes the trouble which arises from folly and inconsistency; you have lately had sufficient proofs of that.

"You will, no doubt, be very desirous of knowing what is my situation in our little country. I assure you, my dear, I have been received in such a manner as you could have no idea

of; I have been *fetée*,* sought after, and received every where with the greatest cordiality, at Lausanne, at Morger, at Cassonay. I passed a whole month at the last town, where every possible amusement was procured for me. You know how fond I am of going on a sledge.† Well! every day we made a party for it: at the beginning of the new year we had a delightful masked ball; the following week two more dress balls, the best that have been in this town; and a number of other evening dancing parties, given by my friends on account of me; in short, every day brought some new parties and new invitations. Can you conceive, that in the midst of all these numberless pleasures I was sad and silent; every one quizzed me on my indifference; I who, said they, used to be so gay before my departure, I was not to be known again; but spite of all my endeavours I could not get the better of myself. Can you not, my dear, divine the cause of all my deep sadness? Alas! it was only the regret and grief at having quitted her royal highness, and at knowing that she had mistaken my character, and taxed me with ingratitude. Oh God! I would surrender half my life, could she but read my heart; she could then be convinced of the infinite respect, the unlimited attachment, and perfect gratitude, I shall always entertain for her august person. I should much have wished, my dear Mariette, to have written to the count, to thank him for the kindness he has shown me, but I am afraid to trouble him; tell him that the few lines which he has had the goodness to write to me, have in fact afforded me a little tranquillity, since they made me hope for pardon. I was afraid her royal highness would be still displeased at the turn I had given to my journey; judge then of my happiness, when I learnt that she was not at all angry at it, but on the contrary gives me leave for it: in truth, this pretence has been very useful to me; for you are sufficiently acquainted with the world to suspect that I have been assailed with questions, particularly by great folks; for I am not vain enough to think that I have been sought after so much only

on account of my fine eyes, and that a little curiosity had no part in their eagerness to see me. Ah! why was not the spirit of her royal highness at my side? She would then have found whether I be ungrateful. How often, in a numerous circle, whilst with all the enthusiasm which animated me, I enumerated her great qualities, her rare talents, her mildness, her patience, her charity, in short, all the perfections which she possesses in so eminent a degree; how often, I say, have I not seen my hearers affected, and heard them exclaim, how unjust is the world to cause so much unhappiness to one who deserves it so little, and who is so worthy of being happy!

“ You cannot think, Mariette, what a noise my little Journal has made. It has been, if I may use the expression, snatched at; every one has read it. Madame Gaulisa begged me to let her carry it to Lausanne; all the English who were there at that time wished to see it; I have been delighted at it, for you know I spoke in it a great deal of the best and most amiable princess in the world. I related much in detail all the traits of sensibility and of generosity which she had shown—the manner in which she had been received, applauded, cherished, in all the places we had visited. You know, that when this august princess is my subject I am inexhaustible, consequently my Journal is embellished with and breathes the effusion of my heart; my greatest desire having always been, that the princess should appear to be what she really is, and that full justice should be rendered to her. I assure you, that although distant, it is not less my desire, and that I shall always endeavour with zeal that such may be the case, and as far as my poor capacity will allow. As you may well judge, it is not to make a merit of it, since she will always be ignorant of it, and even suspects me of ingratitude, but it will only be to content my heart, which would find a sweet satisfaction in this charming success.

“ But I had almost forgotten to confide to you a thing which will surprise you as much as it has me. The 24th of last month I was taking some refreshment at my aunt Clara’s, when I was informed an unknown person desired to deliver me a letter, and that

* *Fetée*, received with parties.

† *Aller en traineau*.

he would trust it to no one else. I went down stairs, and desired him to come up into my room. Judge of my astonishment when I broke the seal; a proposal was made to me to set off for London, under the false pretence of being a governess. I was promised a high protection, and a most brilliant fortune in a short time. The letter was without signature; but, to assure me of the truth of it, I was informed I might draw at the banker's for as much money as I wished. Can you conceive any thing so singular? Some lines, escaped from the pen of the writer, enabled me easily to discover the cheat, and I did not hesitate to reply in such terms as must have convinced him I was not quite a dupe. Notwithstanding all my efforts, I could draw no *eclaircissement* from the bearer; he acted with the greatest mystery. You see, my dear, with what promptitude the enemies of our generous benefactress always act. There must always be spies about her, for no sooner had I left Pesaro than it was known, with all its circumstances, in the capital of Europe. They thought to find in me a person revengeful and very ambitious; but, thank God, I am exempt from both those failings; and money acquired at the expense of repose and duty, will never tempt me, though I should be at the last extremity.

“The Almighty abandons no one, much less those who do that which is agreeable to him. *A good reputation is better than a golden girdle.*”

“Since I have introduced the subject of money, my dear sister, I must give you some advice. Economise as much as possible, retrench every superfluity; did you but know the regret I feel in not having done so! I do not think I ever was guilty of extravagance, but I have not deprived myself of many things which were almost useless to me. You know that every one here, as elsewhere, fancies the princess of Wales throws her money out of the window, and I am supposed to have returned with a considerable fortune; from a species of self-love, and to extol still more her generosity, I do not try to undeceive any one; consequently, though I have great need of money, I have not yet dared to ask my guardian for any: I know how to be moderate, and run into no expense. I have time to reflect, and to think that if I had al-

ways acted in the same way, I should not be in the situation in which I am; every one should economise as much as possible against the time when one can no longer gain any thing. Profit by the lesson I have just given you, and be assured it will be salutary to you, for I speak from experience. You will know Mr. Le Notte has not delivered the parcel; I wrote to him at Milan, and at Paris; I expect his answer one of these days. If it should be lost, it would be very disagreeable, as the cloth costs a great deal: if I had known, it should not have been purchased, as my mother has a good spencer, and might very well have done without it. I regret also the velvet very much, of which I have shortened myself for my hat, in making it much smaller; besides we did not get that either for nothing, and the three louis are well worth lamenting, without reckoning the other baubles; all that does not come by whistling for it; a sous here and a sous there soon make a livre, and twenty-four livres make a Napoleon; you see I am become an adept in arithmetic. I will answer for it, however, that Mr. Le Notte* shall have the goodness to make all good if he have lost any thing. I shall show him no favour, and have written to him in such a manner as sufficiently shows I am not very well satisfied with his negligence.

“But, my dear Mariette, I perceive I have almost finished my letter without speaking of our dear relations: our good mother is tolerably well, though her asthma and pains in her bowels torment her sometimes, but nothing compared to what she has suffered this summer. Your father is very well. Henrietta is always charming; I give her every day lessons in writing and reading; she sews very well, and irons as well; she has already ironed several frills for me, and some gowns, with which I am very well satisfied. Her desire of travelling is the same; pray try to get her a situation; I am convinced she will give you no cause to regret it. She is much altered for the better; she is gay, and always in good humour; mild, obliging, in short, of a character to make herself beloved wherever she goes, for she has an excellent heart, and knows how to be contented in all

* Sic.

situations. Margaret is entirely amiable, of a pretty figure, and so lively, that she makes one half dead with laughing; Louisa is also very genteel. I assure you, dear Mariette, they are all changed very much for the better, and I am quite contented with them.

"I have been, since the month of January, in my favourite chamber at Collombier, where some repairs have been done; for example, a very good chimney, and a small cabinet, wherein I sleep. I often make little excursions in our environs, and frequently receive visits, which afford me some amusement. I think I hear you say, well dear Louisa, what do you mean to do? Won't you marry? What does Mons. ——— do? I will tell you, word for word; I every day feel more and more repugnance to marriage. Mr. ——— has done all in his power to induce me to accept a heart which he says he has preserved for me these seven years. What heroical constancy, and little worthy of the age in which we live. I have not, however, been dazzled by it, and although he be rich, charming, and amiable, I would not retract the refusal I gave him four years ago. If this amuse you, I will tell you I have several other lovers, not less desirable than he; I am very foolish perhaps to refuse them, for they are infinitely better than I am; perhaps I may one day repent it. You know the proverb "qui refuse muse," (he who will not, &c.) but I cannot do otherwise; recent events have created in me a sort of antipathy to all men. I can have no ties, no communications with any of them. I love and cherish sweet liberty alone, and wish to preserve it as long as I can. Dear Mariette, I conjure you imitate my example, never think of marrying. My mother and I forbid it as long as her royal highness shall wish to keep you in her service. You can have no greater happiness, it is impossible. Beware of forming any attachment or tie with any one; you are too young for that; remain free; be assured you will be a thousand times more happy. I do not recommend prudence to you, because I know you too well to distrust you, and to suspect you do not possess it; for whatever may have been said of me, I would have died rather than abandon it for an instant, and deviate from the strict path of virtue; the most

precious good we possess; yet I have known some persons have suspected my conduct; but I have God and my own conscience for witnesses. Are they not sufficient for my peace? at least no one can deprive me of them.— No, I have nothing to reproach myself with on that head, and you know it as well as myself, therefore I can give you advice, with the assurance that you will follow it, especially as it is also that of our mother.

"Dear sister, if you dare, place me at the feet of her royal highness beseeching her to accept my humble respects. Do not fail, I entreat you, when she speaks to you of me, to endeavour to convince her that my repentance for having displeased her is still the same; that I conjure her to restore me to her favour. Tell me if her royal highness is still so very angry with me, and if there is not any appearance of a full pardon; but tell me always the truth. Try also, I pray you, Mariette, to persuade her royal highness that I am and always shall be so entirely devoted to her, that no sacrifice I could make for her would appear too great, and that she might even dispose of my life, which shall for ever be consecrated to her. Tell the baron also, that I am very sensible of his remembrance, and beg him to accept the assurance of my perfect gratitude. Embrace for me the charming Victorine; repeat also my thanks to the count, and assure him I shall never forget his late kindness. Remember me to the countess, Madame Livia, and Mr. William, begging them to receive the assurance of my sincere friendship.

"Dear Mariette, if I were to tell you all those who send you salutations, I should want two more pages, for every one is much interested for you, and they never cease to put up vows for your continued happiness. You are sensible, however, that the most sincere are made by us at home

"You will tell Mr. Hieronymus that John is quite well, and that Mr. Simonin is very well pleased with him in all respects; his board is not paid for, and tell Mr. H. on the receipt of this letter I beg he will immediately send an order to Mr. Demolin for the six months board, and address it to me; he must not delay, for I have need of money. You will not, I

think, do wrong, to send me at the same time the two Napoleons to make up twenty-five, if you can. It is I who send you the gown instead of the lace; I think you should trim it with muslin. Make my compliments to Mr. Hieronymus, and tell him the first time I write again, I will give him more particulars respecting his son, because I hope to have more room. I should wish much to know how ink is made with that powder which he gave me, and what he has done with the two pictures I delivered to him at the Villa d'Este. Adieu, dear and good sister; we embrace you cordially. A reply at once, if you please.

"Your Sister, LOUISA DE MONT.
8th Feb. 1818. Miss Mariette Bron,
at Pesaro."

"Royal Highness;

"It is on my knees that I write to my generous benefactress, beseeching her to pardon my boldness; but I cannot resist a foreboding. Besides, I am convinced that if her royal highness knew the frightful state into which I am plunged, she would not be offended at my temerity. My spirits cannot support my misfortune; I am overwhelmed by it, and I am more than persuaded, that I shall sink under it; I feel a dreadful weakness—a mortal inquietude consumes me internally, and does not leave me one moment of tranquillity. A crowd of reflections on the past goodness of her royal highness, and on my apparent ingratitude, overwhelm me. May her royal highness deign to take pity on me; may she deign to restore me to her precious favour, which I have just unhappily lost by the most melancholy imprudence. May I receive that sweet assurance before I die of grief: it alone can restore me to life.

"I dare again to conjure, to supplicate the compassion and the clemency of her royal highness, that she will grant me the extreme favour of destroying those two fatal letters; to know that they are in the hands of her royal highness, and that they will constantly bear testimony against my past conduct, places me in the extremity of distress; the aversion which I have merited on the part of her royal highness, instead of diminishing, would be increased by reading them. I allow myself to assure her royal highness,

that it is only the granting of these two favours which can restore me to life, and give me back that repose which I have lost. My fault, it is true, is very great and irreparable; but love is blind; how many faults has he not caused even the greatest men to commit. I dare to flatter myself this is a further reason why her royal highness should condescend to grant me the two favours which I take the liberty of asking of her.

"I also presume to recommend to the favour and protection of her royal highness my sister Mariette, as well as the one who is in Switzerland. Her royal highness has condescended to give me to understand, that perhaps she might be allowed to supply my place; the hope of this greatly alleviates my distress. It would be also an act of beneficence; for my sisters have only very limited fortunes, and in our small poor country they are not to be acquired. I am certain her royal highness would never have cause to repent her great goodness and extreme kindness towards a young girl who has always succeeded in gaining the esteem and friendship of all to whom she has been personally known. I cannot sufficiently thank her royal highness and the baron for their kindness in sending Ferdinand to accompany me; he has paid me all the attention, and taken all the care of me imaginable. I know not how to acknowledge so many benefits, but I will endeavour by my future conduct to merit them, and to regain the favourable opinion which her royal highness had vouchsafed to entertain for me during the days of my happiness.

"It is with sentiments of the most entire submission and the most perfect devotedness that I have the honour to be her royal highness's most obedient servant,

"LOUISA DE MONT.

"Rimini, the 16th Nov. 1817."

Cross-examination resumed.

The count to whom the first letter referred was Schiavini. The journal of which mention was made in the first letter, comprised the greatest part of the time during which witness lived with the princess. The witness being asked whether it was true that a person unknown delivered her a letter, first asked permission to ex-

plain; and afterwards said she had in fact once received an anonymous letter, but could not take upon herself to say where at Colombier she received the letter; the letter was without signature, but it did not contain the offers respecting her going to London, which had been read. The witness again begged to explain. The witness received a letter, which said she might obtain a situation as a governess at London, if she could obtain letters of recommendation. The witness obtained permission to explain. She commenced by stating, that the evening before she left the princess's service, she had a conversation with M. Bergami.

This was objected to by Mr. Brougham, but the objection was overruled.

Bergami told witness that the princess was much incensed, and that her sister would be dismissed on her account; witness begged him to interfere in behalf of her sister; he said he would, and advised witness to write to the princess; she did so, and arranged with her sister that she should always write in the most complimentary strain of the princess, in order that the letter should please the princess on being shown to her; she long entertained a design of going to London, and she wrote the letter of the 8th of February, in order to apprise her sister in a covert way that she was about putting this design into execution, and that she was likely to be able to support her if she was dismissed in consequence of witness going to England; the allusion to the banker was in order to inform her sister, that she meant to take up her fortune from her guardian, in order to bring it to England, where she heard the interest would be double. She wished also to convince the princess, that money would not tempt her, though questions should be put to her.—Witness was asked by Mr. Williams, whether she had any other explanation, and she said, that at the time she felt a very strong attachment to the princess. Witness saw the letters last night, but did not remark the dates. She was accompanied last night by a lady—one of her friends, and a gentleman, whose name she does not know; witness went directly home without waiting in any other place, except a moment in a room above stairs in this House (the House of

Lords); will not swear that she did remain half an hour; cannot swear as to time; witness saw the lady she spoke of, and the gentleman who conducted her; has not passed all the time since yesterday thinking of the letters, but has reflected upon them; cannot recollect at this distance of time what she meant by the phrase capital of Europe in one of the letters; it was often witness's practice to write in a double sense, and has frequently, in jest, called Colombier or Lausanne the capital of Europe; said in her letter that she wanted money; by that she meant that she had no money without drawing upon her guardian; perhaps she had not money at the time; witness paid board to her mother; does not remember that any one lent her money at the time she lived with her mother; is sure nobody gave her any; witness's sister, whom she wished to get into the princess's service, was at the time 19; her step-father maintains himself by a farm, which he cultivates.

[Cross-examination concluded.]

Re-examined by the *Solicitor-General*.

The farm cultivated by witness's step-father, is in fact her property, having been bequeathed to her by her late father; it is worth 50 Napoleons per ann. Her sister Mariette, who now lives with the Queen, is only her half-sister. She is the daughter of her step-father and her mother, and has no property whatever, but her wages from the Queen. Witness was dismissed from the Queen's service for two letters she wrote. In one of them she said the Queen liked (aime) M. Sacchi; this letter she put in the post-office at Pesaro. The next day she saw it in the princess's hands, without knowing how it came there. The princess understood the term (aime) erroneously, as charging her with an improper passion for M. Sacchi. This the witness explained; but the day after she had put the second letter into the post-office she was dismissed: does not remember that the princess made any allusion to the second letter. Witness's mother had received letters from Mariette, parts of which appeared to have been written by the princess. Witness here proved some letters as of the princess's writing. After witness saw Bergami in his shirt

in the corridor at Naples, the door through which she passed was shut behind her, and she heard the key turn in the lock. Hieronymus called upon witness at her lodging about nine weeks ago; he called twice in the course of the same day; Schiavini was the person who used to give certificates of character to the servants discharged from the princess's household.

EXAMINATION BY LORDS.

By the Earl of Limerick.—Had said she could not describe the state of the large bed at Naples, because she might have had to make use of terms which were not decent; in fact, the bed-cover was extremely pressed down in the middle, and there were large stains on the coverlid, which had not been there before. Hieronymus spoke only to witness's sister, when he called at her lodgings. At the balls at the Barona, the female guests used to go out with the servants; witness saw them going into the upper rooms, but observed nothing particular occurring in the ball-room itself.

By Earl Grey.—After she was dismissed from the apartment of the princess at Scharnitz, witness retired to the room occupied by her sister, and the countess Oldi, where she rested upon her bed on the floor half dressed. [That part of the witness's letter, in which she alluded to spies surrounding her royal highness being read, she stated, that the letter had been so long written, that she was unable to explain that allusion, or the place which she meant to designate by the title, "Capital of Europe"]. Is sure that the observation respecting spies, did not arise from the offer which the letter stated she had received, respecting advantages awaiting her in London; because, in fact, the offer was never made to the extent described in the letter. The reference to that offer was a *double entendre*, by which she wished her sister to understand, that if she should be discharged by the princess, still witness had the means of placing her in London. Witness was anxious that her sister should continue in the service of the princess; notwithstanding what she had witnessed at the balls at the Barona, because, for particular reasons, her sister could not remain at home.

By the Marquis of Buckingham.—

Witness did in fact receive a proposal to come to England, with a promise that she should be advantageously placed as a governess; all beyond this in her letter was mere fiction, designed to put her sister in possession of witness's views respecting her. Witness saw the princess dressed in a riding habit during the day at Scharnitz; cannot say whether her royal highness undressed going to bed; does not remember having seen any wet linen lying about when she went down to dress the princess, after the bath on board the Polacre; the princess was in her own cabin where her bed was, and the bath, to the best of witness's recollection, was in the dining-cabin.

By the Earl of Derby.—Witness had written in the mysterious manner alluded to, for fear her letters should be intercepted. She arranged with her sister a private mark to be affixed to their ambiguous correspondence; but cannot now say what the mark was.

By the Earl of Liverpool.—Remembers the princess bathing on board the Polacre, twice only; cannot say with certainty in what room the princess bathed; but remembers that she herself used the bath in the dining-room.

By Lord Ellenborough.—One reason why witness apprehended that her letters would be intercepted and read by Bergami, or the princess was this: witness's sister had written to their mother a letter which she put into the post-office at Pesaro; it was taken up at the post-office; something was altered in it, and her sister said, that she had no news from her friends. As far as witness recollects, her sister was in the room when the princess passed through with the pillow in her hand, at Catania. At general Pino's, about a quarter of an hour, or half an hour elapsed, between witness's seeing Bergami, and her falling asleep. When witness first saw Bergami in his shirt at Naples, she was about four or five paces from the door, by which she escaped; Bergami was about ten or eleven paces; Bergami needed not to have entered the princess's room through the door by which witness escaped.

By the Marquis of Lansdowne.—[Witness's answer to the earl of Derby was read.] Received but one letter

from her sister; cannot say whether it bore the mark agreed upon. Thought her sister would understand her letters without the mark; but it is so long since, cannot say why she thought so. The letter inviting witness to England was not signed; as well as she recollects, it was written in the French language; does not recollect whence it was dated, whether it was conveyed by post, or private hand; whether she formed any surmise of the writer; whether she answered it, or whether there was any thing contained in it beyond the offer of obtaining her an establishment as a governess; has not this letter in England, nor does she think that it is at Columbiar, inasmuch as she burned some, though not all of her letters.

By the Earl of Lauderdale.—Previously to her receiving the anonymous letter, witness had thoughts of coming to England as a governess; cannot say whether the letter which she has described, as taken up from the post and altered, was addressed to her, or to her mother; this was the only letter received before witness wrote the letter of the 8th of February, 1818, produced by the Queen's counsel. After that their mother received several letters from her sister; witness was sincere in her praises of the personal qualities of the princess, her patience and goodness.

By the Earl of Darnley.—Her attachment to the princess ceased, when she heard that her royal highness had said several things of her; and that several things had been said of her in the house of the princess. The covering of the large bed at Naples, which she described as stained, was white.

By the Earl of Morton.—The communication between the dining-cabin of the Polacre and the tent used to be open at night.—[Witness ordered to withdraw].

MONDAY, SEPTEMBER 4.

Luigi Galdini sworn.

Is a native of Blevio, on the Lake of Como, and a mason by trade; worked about 15 days at the Villa d'Este, during which time he was employed upon the house of Santino Guggiaro, who was agent at the Villa d'Este. Guggiaro's house is about 450 paces from the Villa d'Este. Having occasion to speak with him about some

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plaster of Paris, for which his men were waiting, witness went into the kitchen of the Villa d'Este, to inquire for the *fattore* (Guggiaro); not finding him there, he went up stairs somewhat out of temper, at having his men kept idle; and hastily opening a door, he saw within, the princess and Bergami sitting together; the baron had his right arm round the neck of the princess; whether they sat upon a sofa, an easy-chair, or a small bed, witness was precluded from observing, by the shortness of his view; the princess was uncovered, as to her bosom, so far. [Witness drew his hand across his body, at the lower extremity of the breast-bone]; when witness opened the door, Bergami removed his arm from the princess, and asked him, "What do you want here, you dog's breed?" (*razza di cane*). Witness replied, that he wanted the *fattore* (Guggiaro), upon which Bergami told him, that was not the room of the *fattore*. Upon other occasions has seen the princess walking arm-in-arm with Bergami; has also seen him holding the princess upon an ass, his hand being once behind her, and another time upon her thigh.

Cross-examined by Mr. Tindal.

First mentioned the circumstance to the son of the *fattore* the same day. Went to Milan, where he was examined by Vimercati and colonel Brown; was applied to to go by one Tagliabue; received ten livres a-day, and no more, for his expenses; received the same allowance for expenses coming to England; resides in the same lodging with the other witnesses.

EXAMINED BY LORDS.

By the Earl of Liverpool.—As far as witness saw, the princess's breasts were uncovered.

By the Lord Chancellor.—The breasts were uncovered so far down. [Witness made a motion similar to that which he had employed in his examination-in-chief]; saw it in a twinkling of an eye. "I saw the breasts." (*Ho veduto le mamelle*).

In answer to a question by a Peer, whether Bergami had his hands upon the princess's breasts? Witness exhibited upon the interpreter the position of the parties, his hand reaching round to the breast of the interpreter.

By the Duke of Hamilton.—Does not remember how the princess was dressed, but is sure that she wore no handkerchief over her bosom.

Alessandro Finetti sworn.

Is an ornamental painter; was employed by Bergami at the Villa d'Este; frequently saw the princess walking with Bergami, holding his hand; saw them in a canoe on the Lake. One morning witness was in the anti-chamber to Bergami's room, at the Villa d'Este, between 10 and 11 o'clock; Bergami came from the side of the princess's chamber, and went into his own room; he was dressed in a morning gown and drawers only. At Rufinelli Bergami was sick, the princess was frequently in his room, and sometimes administered the medicines; once Bergami got up while his bed was warming, and the princess remained in the room during the operation. Between Ancona and Rome, passing through a court, witness saw the princess and Bergami embracing, her arms being under his, and round his person [witness made a motion]; their faces were opposite the one to the other [l'una contro l'altra], but not in contact; for she is short, and he is tall; saw them embracing in just the same way after dark one evening at Caprila, and at the Villa d'Este; has seen them kissing.—[Witness was not cross-examined].

Domenico Brusa sworn.

Is a native of Cazzoni, and a mason by trade; was employed at the Villa d'Este, from 1815 to 1817; was also at the Villa Villani, and at the Barona. Has frequently seen the princess and Bergami together upon the Lake, Bergami rowing. On the evening of the feast, saw them sitting together upon a bench under some trees; they were alone; Ragazzoni was with witness. Once when witness was at work upon a room in the house, through doors which were opened by a youth [garzone], he saw the princess and Bergami standing together, caressing each other with their hands [witness made a motion]; they touched each other on the face. Being asked, whether any alteration was made, by work done to the wall of Bergami's room? he said, "I have seen those kisses and

caresses, and I have seen no other; as to any thing done to the wall, I have it not at present in my mind."—[This witness was not cross-examined].

Antonio Bianchi sworn.

Is an inhabitant of Como. Once saw the princess and Bergami near the Brescia; when witness first saw them, they were leaning against a dam, which confines the water (*ripario*), their canoe being near them. They came from the dam, got into the canoe, and passed down the canal and lake, towards the Villa. Cannot say whether their clothes were wet or dry; where they were standing, the water was a *braccio* deep; many gentlemen used the place for bathing. When witness first saw the princess and Bergami, they were standing in the water; but as soon as they saw him, and four gentlemen who were with him, they got into the canoe, the princess was dressed in a sort of loose trowsers.—[This witness was not cross-examined].

EXAMINATION BY LORDS.

By the Duke of Hamilton.—A *braccio* is an arm's length. [Witness measured out about three quarters of a yard].

Giovanni Lucini sworn.

Is a native of Blevio, on the Lake of Como, and a white-washer by trade. Has seen Bergami driving the princess in a *padovanello*, her royal highness sitting upon his knees, and his arms encircling her waist. [Witness described other familiarities, not in any respect however more remarkable than those sworn to by the other witnesses]; between ten and eleven one morning, saw the princess in Bergami's room; they were together, looking out of a window; the princess was dressed in white; Bergami wore a lead-coloured dressing-gown; was at the theatre at the Villa d'Este; "Was any one performing? There was." "Who was it? The princess was singing, and Bergami was playing upon an instrument called a *torototela*."

Cross-examined by Mr. Denman.

"Did you not say at Milan, that you knew nothing about it? I do not understand the question;" was examined at Milan.

EXAMINED BY LORDS.

By Earl Grey.—A *padovanello* is a common carriage in the country ; two persons cannot sit in it otherwise than as he has described the princess and Bergami.

By Lord Ellenborough.—Has seen others using this species of carriage in the same way.

Carlo Rancatti sworn.

Was two years in the service of the princess of Wales, as confectioner, at the Villa d'Este. Has seen nothing passing between the princess of Wales but their walking together as true friends, as husband and wife. Never saw Bergami come from any room but his own at the Villa Brande ; was with the princess at the Villa Caprila, near Pesaro. Has seen her royal highness walking with Bergami arm-in-arm a thousand times. At the Villa Caprila the princess kept a nightingale ; witness went early in the morning to give meat to this bird, and observed the princess and Bergami kissing ; the princess said, " Don't stay out so long, *mon cœur*," adding something in French, which witness does not know how to explain. At Villa Caprila, has often seen Bergami looking out of his bedroom window, to call his servant, the princess being in his room at the time. The princess always came down to breakfast arm-in-arm with Bergami.

Cross-examined by Mr. *Williams*.

Witness's occupation always lay in the house, and in attendance upon the princess's person. The nightingale was kept in a cabinet ; the time witness went to feed it, upon the occasion alluded to, was about ten o'clock, a few moments earlier or later than the usual time.

Francesco Cassina sworn.

Is a native of Piazza, on the Lake of Como, and a mason by trade ; knew Bergami as valet in the service of general Pino, in whose service he always waited at table. After the princess's return from Greece, a door-way at the Villa d'Este, which had been built up when general Pino occupied the house, was re-opened ; before this change, the only communication between the rooms of the princess and Bergami, was by the stair-case, the large saloon,

an anti-chamber, and a corridor ; but, after the door-way was broken through, there was only to pass through one room.

Cross examined by Mr. *Denman*.

The door was an old one, broken out again, and not a new one.

Giuseppe Restelli sworn.

Was in the service of the princess of Wales, as first under the superintendant of the stables ; entered her service at the Villa d'Este about the end of August 1816, and continued in it until the end of November 1817. [Witness described the use of the *padovanello*, and the princess's going with Bergami upon the Lake, as the other witnesses had done]. Saw the princess frequently driven out in a carriage [different from the *padovanello*] by Bergami, once her royal highness covering her shoulders with Bergami's cloak, and protecting him with the lower part of it. Once the princess was returning in an open carriage with Bergami, from Farno, to the Villa Caprila near Pesaro. Witness attended on horseback ; near to the gate of Pesaro, he rode up to the carriage to take the princess's orders, as to the road he should pursue, when he distinctly observed the hand of the princess in the breeches of Bergami ; witness was ashamed, and rode away. Upon another occasion, when Bergami had been absent two or three days, the princess drove out to meet him ; at first her royal highness was disappointed, and returned ; but before she arrived at home, Bergami overtook her ; they descended from their respective carriages, kissed, and exchanged words of compliment, of which witness did not overhear more than the words, "*mon cher ami* ;" they linked arms, and went into the same carriage. Victorine used to call the princess mamma ; and she used to say to the child, "*Viens ici, ma chère fille*." Has seen the wife of Bergami at the Barona, but at a time when the princess was not there. " Once she was there when the princess was arriving, and they all made their escape, they all went away."

Cross-examined by Mr. *Denman*.

Was not dismissed for stealing corn ; was dismissed because he gave leave

to two of the men to go to the inn; and Bernardo, the cousin of the baron, and some others, went so stop these men. And when these came to complain to witness of it, he said, he never knew that a master should be a thief-taker [*sbirro*, explained by the interpreter as a low constable, a word of reproach]. The following day, Lewis Bergami handed witness the balance of his wages, telling him, that as he was an honest man, he ought not to be among the “*sbirri*,” so he took the money and went away. Witness was never in any way charged with stealing corn. Has a pension from the Italian government; resides at Milan; became acquainted with the Milan commission in December 1818; was directed to attend before them by one Riganti, a tobacconist at Milan; was examined by the commissioners; there was the advocate Vimercati, three English gentlemen, and two Italian amanuenses; was afterwards employed as a courier by the commissioners. Went first to Westphalia for Maurice Credè; did not offer money to Credè to go to Milan, but told him that his expenses going and returning should be paid. Went next with Mr. Cooke to Frankfort; saw Credè at Frankfort, and Annette Preising, the latter at a distance; she had been in the service of the princess in 1816. Went next to Paris to the British ambassador, sir Charles Stewart, with dispatches; besides his pension, witness is a coach-maker; is to have nothing for coming to England, and expects nothing. Does not know Enrico Ravizza, of Lodi; knows Angelo Draggoni; never tried to persuade him to come forward as a witness; has called upon Draggoni about other matters, as they are old friends, but not upon this business; never offered him money; never said that any one would give him money for his testimony. Has spoken to captain Vasali upon the subject of his discharge, for having called the Bergamies “*sbirri*,” but never alluded to any charge of stealing corn, because no such charge had in fact been made. The carriage in which witness saw the princess’s hand in Bergami’s breeches, was a carriage for two, with the top open, thrown down behind, and an apron in front. The part from which witness saw the hand withdrawn was

above the apron; the apron did not reach so far; it was the cloak only that covered the breeches; the transaction occurred by day-light, between two and three o’clock in the day, on the public road; Bergami was sitting on the right, driving, and the princess on the left. Witness, for the first time, told the story to the Milan commissioners about twelve months after it occurred, and about three or four weeks after he was dismissed from the service of the princess.

EXAMINED BY LORDS.

By the Earl of Liverpool.—Receives his pension in consideration of seven years service under prince Eugene, the late viceroy of Italy; is not employed as a courier by the Italian government, or his pension would be discontinued; it amounts to 260 livres per annum.

By the Earl of Lauderdale.—When witness rode up to the carriage, Bergami briefly directed him to go to take up count de Cassio, by merely repeating the words “Count de Cassio;” and at the same moment, the princess withdrew her hand from Bergami’s breeches.

Giuseppe Galli sworn.

Is a native of Cossano, in Italy, and waiter at the Crown-inn, at Barlisina, a town thirteen miles from Milan, and half way on the road to Como. Remembers the princess calling at the inn three times; the second time, her royal highness dined there; Bergami had passed on his way to Milan in the morning; he returned to Barlisina in the evening, and in half a quarter of an hour after, the princess came in the opposite direction. They sat down to dine together; at dinner they paid each other compliments, and exchanged delicate morsels. The princess had engaged two rooms, No. 7 and No. 8. They dined in No. 8, and in No. 7 there was a large bed. The rooms adjoined, and communicated by a door; several persons dined with the princess. After the company had retired into the second room, leaving the princess and Bergami alone in No. 8, witness went to clear the table, when he saw Bergami holding his arm upon the shoulder of the princess, and kissing her. He did not enter the room, for they immediately ordered him away.

The princess and Bergami left the inn in a *charobano*, a carriage, in which there are two seats behind, and a cushion in the middle, on which people may go astride. The princess occupied one of the seats properly, and Bergami was astride upon the cushion.

Cross-examined by Mr. *Williams*.

Thinks the circumstance he has described occurred shortly before Christmas 1817. There were ten persons in the princess's company. [Witness here enumerated the persons so often named, as forming the court of the princess.]

EXAMINED BY

The Earl of Lauderdale.—The princess remained with Bergami not more than half an hour after witness was ordered to retire. None of the servants of the house went into No. 8, during that time, but some of the others might have come out of the other room, for the door was open.

Giuseppe dell'Orto sworn.

Is a baker by trade; served the princess with bread at the Villa d'Este before she went to Greece. Once saw the princess and Bergami sitting together. Bergami had his arm round her royal highness's neck, kissing her, and making love to her. Before he put his arm round her neck, Bergami had risen from his seat; but the princess caught him by the lappet of his coat, and pulled him down. Another time, witness saw the princess and Bergami in the kitchen of the Villa d'Este. Bergami went to her royal highness, and she said something in French, when he took some polenta—[explained by the interpreter as a pottage made with maize]; put the half of it into the mouth of the princess, and the remaining half into his own. After this, witness saw them in the pantry; Bergami put a bit of sweet-meat into the mouth of the princess.

Cross-examined by Mr. *Tindal*.

Was not in the service of the princess, but supplied the family with bread.

Giuseppe Guggiari sworn.

Is a native of Cernobio, and a boatman; has frequently conveyed the princess in his boat to and from the

theatre, at Como. Saw them kissing about four times; never saw any thing else pass between them in the boat, but saw them go up from the pantry and lock themselves up in the room of the princess; this was while witness was employed in the pantry at 5 sous a day. Was brought to give evidence at Milan, by a man named Masserani, a native of Lugano, but never mentioned any thing of what he had witnessed until he was examined by Vimercati. The affair of the pantry was about five or six months before he went to Milan. Was not in the boat when he saw the kissing; a man named Tomaso, and ten boatmen, were in the boat at the time. Witness named Tomaso Lago-Maggiore, Lorenza Rogeta, Christoforo Cassino, and witness's brother, Giovanni. Never told any one that Vimercati had offered him money. Remained at work when the princess went out of the pantry.

Re-examined by Mr. *Parke*.

The room in which witness was was above stairs, and communicated with that to which the princess retired by a small corridor.

EXAMINED BY LORDS.

By Earl Grosvenor.—Saw the princess and Bergami retire with his own eyes, and heard them turn the key in the lock. Rancatti, witness's brother, and one Giovanni Capella, were present. They were not more than two paces distant, standing in the corridor.

By the Earl of Belmore.—The boatmen could not all see the kissing, because some of them were looking, and some were not looking. The curtains were wide open.

By the Marquis of Lansdown.—Never had any conversation with any of the boatmen about the kissing.

[The Earl of Lauderdale and the Duke of Hamilton also examined, but the answers to their questions are included in the foregoing.]

TUESDAY, SEPT. 5.

Giuseppe Sacchi sworn.

Is a native of Villenchino; entered the service of the princess of Wales, Sept. 1816, at the Villa d'Este; continued in her service precisely a year; his situation, when he first entered

her service, was that of a courier; was afterwards appointed equerry; remained at the Villa d'Este about six weeks; soon after he entered the princess's service, witness was sent with dispatches to the duchess of Parma, and brought another dispatch back; the princess, when witness returned, was at dinner with Bergami; the princess read the dispatch, and laid it on the table; Bergami took it up, when the princess proceeded to ask witness several questions, and Bergami read it, or pretended to read it, without asking leave. Witness was again sent to Milan with dispatches for governor Saurau; witness was directed by Bergami to bring the answer the same night if possible; he returned after midnight; he asked the footmen where Bergami was; he went in consequence of the answer [which was forbidden to be translated by Mr. Denman] to Bergami's room; he saw the bed tumbled, but empty; he then (witness) went away, and in going away heard somebody on the opposite side, and somebody cried out, "Who is there;" knew it was the voice of Bergami, and replied it was the courier from Milan. Bergami came out, and observed there was no necessity for bringing up the answer. He had on a dressing-gown, and under it witness saw nothing but his shirt; could not see where Bergami came from, because it was dark; he came, as it seemed, from two unoccupied rooms; witness does not know where the princess slept; has seen the princess and Bergami together at the Villa d'Este; they used to walk arm-in-arm; remembers carrying a letter to general Pino; he brought a verbal answer; delivered it to the princess; she was at the time in her own anti-chamber [witness described the situation of the anti-chamber]: this anti-chamber was near the place where he saw Bergami on the night of his return from Milan; there was a corridor and two rooms between them; the princess used to address Bergami with the familiar expressions of *Mon Ange*, *Mon Amour*, *Mon Cœur* (my Angel, my Love, my Heart). Remembers the princess going to Turin; witness accompanied her to Turin; the princess went to the inn of the Universe; witness went before her for the last stage; he arranged the rooms before the princess's arrival; the best

apartments were left for the princess and the dame d'honneur, and the women; for the gentlemen other apartments quite separate to themselves were provided; when the princess and Bergami arrived, witness showed them the disposition that had been made, but the princess and M. Bergami disapproved of it, and the apartments previously intended for the men were occupied by Bergami, the princess, the dame d'honneur, and the women; the room of the dame d'honneur interposed between those of Bergami and the princess, between which this room afforded a mutual communication. Remembers the balls at the Barona; at first the balls were attended by persons of all ranks, including some people of distinction; but latterly some liberties were taken by the persons of the princess's suite with the low women, and the people of distinction disappeared; the liberties to which he alluded were these,—the men used to take the low women from the ball-room, and make them go out at their pleasure and will; has not heard the princess say any thing upon these persons going out in this manner. One day the princess said she wished to give these women a present; how shall we dress these maids? she said, and then asked me whether I thought they really were maids? I replied, "that as far as I knew they were;"—"No," says she, "you rogue, you are a liar, you have gone to bed with three of them, and how many times you have had intercourse with them I know." Bergami, who was standing by, cried, "It is true, it is true," and laughed; witness being surprised at this compliment, endeavoured to exculpate himself, but Bergami persisted in crying out, "It is true." [A discussion arose here upon the correct translation of the words "vergini" and "verginelli;" it was, however, decided to set it down maids.] Has seen the princess at the balls in the same room with those persons of low condition; has not seen her dance; he has heard the princess observe upon these balls, pointing out certain women with her finger, that the population of the Barona was much increased. Remembers Bergami purchasing a carriage in Germany; it was for witness's use in bad weather, but in fair weather it was frequently occupied by the princess and Bergami. Upon one occasion

the princess and Bergami set out suddenly in this small carriage; witness was not able to overtake them until they had arrived at the first station. On his arrival at the place of rest, he went to look for the princess in a room pointed out to him; he found the princess and Bergami reclining on a bed (but witness must observe decently dressed); they were lying on the bed as far as the middle, their backs resting against the wall. The princess leaving Munich told him the first thing to inquire at any inn was whether there were any English, then to ascertain their rank, if there were any, and go somewhere else for the lodging of her royal highness; on that journey the witness distributed the lodgings as far as Carlsruhe; at Carlsruhe a change was made, similar to that made at Turin, and from thence witness left the arrangement of the rooms to Bergami and the princess. Their apartments after this were as near as possible; went onward to Monte Falcone; arrived after night. The princess and Bergami went up to a room together, where they waited until the suite arrived; about an hour or an hour and a half. The princess went from the Barona to Rome; they stopt at a place called Savignino, the princess was taken ill with violent pains there; Bergami and the countess Oldi attended; saw Bergami and countess Oldi preparing hot cloths. As they were warmed, Bergami carried them into the princess's room as well as countess Oldi. At Ancona, witness was one day called by Bergami, while he [B.] was sitting in bed; as witness was there a door opened, which witness believes to have been from the room of the princess; witness cannot say with certainty that it was the princess's room; but he saw the princess's toilet boxes and other like furniture. There was a bed in the room. Bergami was confined to his bed at Rufinelli. One evening witness was going to visit him, and through his door he saw that Bergami was in bed, this was at eleven o'clock at night. The princess was stretched on a sofa by Bergami's bed-side; there were some cushions on the sofa; witness withdrew immediately. From Rufinelli the princess moved to Villa Brande; witness slept in the left wing of the house; Bergami slept in the corresponding room of the right wing; her royal highness slept in the same

wing; one night after midnight, in very hot weather, witness stood at his window, he heard a noise, he saw Bergami go out of his own door, and go into the door which led into the princess's room, from which he came out no more. Witness stood an hour at the window; he saw Bergami do the same thing another night, when also he remained; but witness on this occasion did not remain more than a quarter of an hour; saw two busts at the Villa Brande, one represented the princess, the other Bergami; they were nearly of the same size. The night when he saw Bergami go to the princess's room was in July; the princess went from Rome to Senigaglia; the weather being extremely hot, they travelled always by night; witness rode by the side of the carriage; at dawn witness used to draw the curtains of the carriage to receive orders; on these occasions witness has often seen the hands of Bergami and the princess upon each other, the princess's hand most indecently placed upon Bergami's person, and Bergami's hand laid upon her's: upon one occasion he saw Bergami's breeches in part unbuttoned, and the princess's hand upon the private part of Bergami, and Bergami's hand upon her's. Does not remember whether any one else was in the carriage; the princess and Bergami were asleep. Saw at another time the princess kiss Bergami's neck; witness was with the princess at Pesaro; Bergami was absent from Pesaro two days: the princess went to meet him; when they met, both dismounted from their respective carriages, embraced, kissed, and returned in the same carriage.

Cross-examined by Mr. Brougham.

Cannot speak English; has gone under the name of Milani; has lived some time in this country, a part of it at Aston, near Stevenage, in the house of the Rev. Philip Godfrey. Was first examined upon this subject in November 1818. Was examined by Vimercati, Powell, Cooke, and Browne, at Milan; was not then sworn to his deposition, but was sworn at Powell's chamber, in London. Has always possessed the means of supporting himself; received no stipulated wages from the princess, but got from her in the whole about sixty or seventy Napoleons, for nine months service as

courier, and three as equerry. Was recommended to her royal highness by the banker Ceriani, baron Cavaletti, and Bergami. Has been, "thank God, always in easy circumstances." Does not know whether he was introduced to Mr. Marietti as count Milani. Never said that he came over for commercial purposes; said that he came over with a Spanish family; said that he had a law-suit with the princess; did not say she owed him, nor did he mean to say at first that he was one of the witness's against her; made use of the assertion merely as a *double entendre*. After he returned from Aston, he communicated the fact to Mr. Marietti; told his name to one of the brothers of Marietti some months before, who came to visit witness; told Mr. Godfrey's family that his name was Sacchi, and caused it to be told by a Mr. Sperati, a relation of Marietti's, that he was one of the witnesses against the Queen. Has frequently visited Marietti since he made these communications, but was never addressed by that gentleman by any other name than Milani. Does not remember that he entreated to be taken back into the princess's service, but it may be; never described himself as destitute, because in truth, he could not.

Mr. *Brougham* asked whether the witness had ever taxed himself with ingratitude in his conduct towards the princess?—Objected to by the *Attorney General*, on the ground that the answer to the question might possibly relate to a written instrument, the contents of which, as their lordships had already decided, could not be introduced by this indirect and incomplete mode of proof. The question was referred to the Judges, who replied by the mouth of the Lord Chief Justice, that the usual practice of the courts was, when such a question was asked, "for the counsel on the other side, instead of objecting absolutely, to interpose an intermediate question, as to whether the declaration [the case usually arose at Nisi Prius upon questions respecting agreements] inquired about was or was not made in writing. This opinion being communicated to counsel, Mr. *Brougham* asked, whether he was to understand, that before he asked the witness whether he had made any declaration at all, he must ask him whether he made it in writing. This

branch of the question was given up, after a protracted discussion, and the witness was asked, whether he had ever made any verbal declaration charging himself with ingratitude, to which he replied by an absolute negative. [Three letters were handed to the witness, which he admitted to be of his hand-writing.] Has gone by the name of Sacchi, Sacchini, Milani, and another name, which he is unwilling to divulge, lest it might expose him to the fury of a person that is ill-intentioned [He was not pressed to state it]. Does not remember a fifth name. Went in the service of the Milan commissioners to bring mademoiselle Demont from Switzerland. Never received any promise of a large sum of money for his trouble, or more than his expenses. Never said he received any such sum. Has seen mademoiselle Demont many times since his arrival, but none other of the witnesses.

Re-examined by the *Attorney General*.

Served ten years in Napoleon's Italian army; was a first lieutenant of cavalry when he quitted it; was promoted to that rank the 6th of September, 1813, on the field of battle. [Witness produced a paper, which he said was a certificate of character, signed, as he was told, by the princess, and sealed with her seal.] Never saw the princess write. [Mr. *Brougham* objected to the reading of this instrument—Objection allowed.] Before the occasion, when witness communicated to Marietti his name, Marietti sent a friend to him. Mr. *Brougham* objected to this course of examination as not arising out of his cross-examination.—The *Attorney General* put the following question: Upon your saying that you were a witness against the Queen, did Marietti make any observation upon the subject of your being a witness?—Mr. *Brougham* objected to the question, and it was resolved by the House to refer the point for the opinion of the Judges.

WEDNESDAY, SEPT. 6.

The question referred to the Judges was shortly this, Whether, in the case of a witness who, upon cross-examination, had admitted the making of a declaration to another person, not a party in the cause, the counsel producing

such witness, is entitled to re-examine him, as to the whole conversation in the course of which the declaration admitted, occurred. The Judges in attendance were, the lord chief justice Abbot, the lord chief justice of the Common Pleas, Dallas; the lord chief baron, Richards; Mr. Justice Best, Mr. Justice Holroyd, Mr. Justice Richardson, Mr. Justice Borough, and Mr. Baron Garrow. The learned Judges delivered their opinions *seriatim*. Mr. Justice Best held that the counsel was entitled to a re-examination to the full extent of the conversation; but all the other Judges were of opinion, that the re-examination should not go beyond the topics immediately necessary to explain the declaration elicited upon the cross-examination. The House in consequence decided that the Attorney-general's question could not be put.

Giuseppe Sacchi's re-examination continued.

Took the name of Milani on his arrival in England on account of the tumult (*tumulto*) that had taken place.

EXAMINED BY LORDS.

By Earl Grosvenor.—Has no half-pay; offered his service to the Swiss government; but no higher rank was proposed to him than that of a serjeant, which he declined. It was his custom to open the curtains of the carriage to take orders, and he was never reprimanded for it. Knows mademoiselle Demont; knows that she took the name of Columbiere, but is not aware that she ever assumed the title of countess; never changed his name before the last two occasions.

By Lord Kingston.—No one has ever made him a promise of money, or endeavoured to dissuade him from giving evidence.

By the Marquis of Buckingham.—The Mariettis are, as he has heard, bankers at Milan. Giuseppe Marietti came to witness's lodging one day, and told him that he was applied to by Mr. Brougham, the Queen's attorney-general's brother, to ascertain from witness if he knew the number and names of the witnesses likely to appear against the Queen. This information Mr. Brougham represented as rendered necessary by the refusal of a list of witnesses. Mr. Marietti, at the same time, observed to witness, that he did not in

the least wish to urge him, if he was unwilling to give the desired information, or to induce him to commit himself. Witness declined giving the information, stating, that he knew of but one witness, and one deposition. Marietti never offered him money in respect of the evidence he was to give.

By Earl Grey.—Took the name of Milani at Paris, as he knew that he was known in London by his own name. He took the name of Milani to shelter him from inconvenience; was warned that the witnesses against the Queen would run some risk if they were known. When witness in his re-examination spoke of a tumult as the principal motive for his assuming a false name, he alluded to a communication made to him by Krouse, a British messenger, that something had occurred to other people on this account already—Krouse did not explain the particulars of the occurrence; but witness understood it had some relation to the witnesses against the Queen. Was sent for to come to England; laid aside the name of Milani at the time of the Dover riot, and not before. Some of the balls at the Barona were given previously to the princess's going to Turin. Does not remember the king of Sardinia, and his queen, or either of them, waiting upon the princess of Wales at the hotel of the Universe.

By the Marquis of Huntley.—Entered the army as a private soldier; was promoted to his present rank for his own good conduct and merit.

By Viscount Falmouth.—The princess at the balls at the Barona had her own private party, with whom she used to remain in her own room; but she used to come into the ball-room for three or four minutes, and then return. Never observed that the women were taken out of the ball-room in the princess's presence. Witness always considered himself as one of the company. The company were always invited by the princess, or by some one appointed by her. Does not remember that he had any recent quarrel with Bergami at the time of leaving the princess's service.

By the Earl of Lauderdale.—The princess always spoke to witness in French; the words used by her royal highness upon the subject of his imputed familiarities with girls at the Barona balls were—"Je veux faire un cadeau

à quelqu'un des ces demoiselles qui viennent à la danse; comment peut-on les habiller ces vierges, M. Sacchini: croyez-vous qu'elles sont-telle?" Witness replied, that as far as he knew they were honest girls, and that he had nothing to lay to their charge. Upon which the princess said—"Eh, coquin, je sais que vous avez couché avec trois d'eux et aussi, combien de fois vous avez eu commerce avec eux." There were balls subsequent to this conversation. They were attended by nearly the same persons. Witness did not know the "verginelli" to whom the princess alluded. The princess had three or four carriages in her suite; does not remember which was that in which he saw the indecency he has described. The princess and Bergami were sitting, but believes they might have stretched at length in any of the open carriages. Cannot say whether the countess Oldi was in the carriage.

By the Earl of Balcarra.—The princess sat on the right of Bergami, and his breeches were open on the right side.

By the Earl of Rosslyn.—Did not ask for orders, because they were asleep.

By Lord Calthorpe.—The motive which the princess assigned for dismissing witness was, a quarrel with the confectioner; he remonstrated that that offence did not deserve so severe a punishment, but without success.

Majoochi's certificate was handed to witness, when he verified the signature of Schiavini, who, he had formerly stated, had authority to grant testimonials of character to the discharged servants.

Robert Hare, esq. Cashier in the Banking-house of Coutts and Company, sworn.

Knows the Queen's hand-writing. Witness verified the signature to Sacchi's certificate.

Cross-examined by Mr. Brougham.

Has seen the hand-writing of his Majesty, the King, signed to a commission, but has no other knowledge of it. The King kept cash at Coutts's, but never signed drafts himself.

[It was understood that Mr. Brougham wished to put in evidence an autograph letter, the King (then Prince of Wales) written shortly after the birth of the princess Charlotte.]—Sacchi's certificate

was then read; it described him "as endowed of the best behaviour;" acknowledged the "assiduity, and zeal, and fidelity of his services, and ascribed his dismissal to motives of economy, and the preference due to older servants."

The *Attorney General* made another unsuccessful attempt to put in Majoochi's certificate.—The learned gentleman then stated, that certain persons resident at Lugano, intended to be produced as witnesses on behalf of the Bill, had advanced as far as Beauvais, but were there alarmed at the report of the Dover riot, and on the 27th of July returned homeward, making a deposition to their motives. He, however, had reason to hope, that having subdued their panic, these persons would speedily arrive in England, and submitted the propriety of a short adjournment in contemplation of their arrival.

The Queen's counsel resisted the proposition as an outrageous departure from all the established forms of judicial proceeding.

THURSDAY, SEPT. 7.

The Attorney stated, that he had, within the last half hour, received dispatches from Milan, from which he learned that a longer delay than he had anticipated would be necessary to bring forward his witnesses from Lugano, so long a delay as he could not think of asking; he would, therefore, under the circumstances of the case, beg to withdraw his application of yesterday.

The *Lord Chancellor* observed, that the Attorney-general had been perfectly justified in his application, and equally correct in withdrawing it.

Mr. Brougham said, that with the understanding that the Attorney-general was not to call any more witnesses, but to facts or statements arising out of the case for the defence, he should resume the adjourned cross-examination by asking a few questions of Teodoro Majoochi. Alluding to an indecent story said to have been told by Bergami to the princess, in the evidence of mademoiselle Demont, Mr. Brougham submitted that all reference to it should be struck out of the Minutes; on inquiry, it was found that it had been so struck out.

APPENDIX TO CHRONICLE. 1035

Teodoro Majocchi again cross-examined.

Knows a person named Gavazzi, a jeweller in Milan, a fat man, but witness has never been in his shop; recollects a person of the same name who last winter lived in Greville-street, Hatton-garden, who told witness that he was related to Gavazzi of Milan; witness knew him only a few days; did not stop in London more than eight or ten days; dined twice in company with him; this was after the King's death; witness arrived on the day of the King's funeral; showed Gavazzi a letter, which he said he had received from somebody in England to carry abroad. The letter was a dispatch addressed to lord Stewart; showed him also some Napoleons which he had received for his journey; thinks they were 80 Napoleons; can swear that he did not tell Gavazzi that more had been given to him than he had asked; does not know the name of Liquor-pond-street; witness "came in a sack, and went away in a trunk," [this is a vulgar proverb in the Milanese]; remembers there were many Italians dined at the same place with witness and Gavazzi; remembers one who acted as a guide to him through the city; never asked his name; he was said to be a carpenter; remembers going with this person to several places, the names of which he does not know. A question being asked of the witness, what was the day on which he so walked with this person, he replied that it was the day on which the people were going to see the King; Mr. Brougham repeating the question, asked whether it was the day of the King's funeral.

A noble lord observed, that the witness had said the people were going to see the King.

Mr. Brougham complained of the interruption, looking steadfastly at lord Exmouth.

Lord Exmouth immediately moved that counsel should withdraw, and pointed out to their lordships' attention the disrespect of counsel towards the House, in fixing his eyes on him at the time that he was presuming to check him for an expression, which had not been used by him, but another noble lord near him.

Cross-examination resumed.

On the day of witness's arrival last winter at a large house, where he was told the king lived, there was a sentinel at the door; he went several times backwards and forwards to the same house. The first time he left his companion at the door, does not remember to have left him at the door more than once, always found him waiting there when witness came out; once came out of the great house accompanied by a gentleman whom he found in the house. The gentleman was Mr. Powell; did not go to Mr. Powell's chambers at the time, but made an appointment to go to him at six o'clock, which appointment witness afterwards observed; went upon one occasion with a note from Mr. Powell to the great house. Witness never heard that the name of the house was Carlton-house, but heard it was the King's; saw some ancient Grecian columns before the house; there is a court before the door; does not remember that he had any conversation with Mr. Powell respecting expenses before his companion, or *lacquey de place*; does not remember Mr. Powell saying in presence of this person, that money was no object; Mr. Powell never said any such thing; never spoke upon the subject; Mr. Powell never spoke to witness on the subject of the Queen since he made the first deposition at Milan; [a letter was here produced by Mr. Brougham]; witness denied any knowledge of it, saying that he could not read or write; does not know Mr. Long; knows the house where he used to meet Gavazzi, and knows the landlord of the house; but does not know his name or sign. [Mr. Long the landlord was here produced, and identified by witness]. Has seen Mr. Powell several times in the house where the witnesses live, and since his first examination by the House, but has had no opportunity of conversing with him; witness employed the person now produced (Mr. Long) to write those letters; one to Mrs. Blackwell [Mr. Brougham here read a letter]. It stated that Mrs. Blackwell's friends were well: that witness had got a situation; that he was going to Vienna; and concluded by sending his respects to her family (including Mrs. Hughes.)

and a very warm expression of affection for the whole family.—Being asked whether witness wanted to marry Mrs. Blackwell, he replied that he wanted to marry them all, Mrs Blackwell, Mrs. Hughes, and all the women of the family.

Re-examined by the Attorney General.

When witness received the Napoleons, he was employed as a courier; he was instructed to travel with the utmost dispatch; the money he was told was to be accounted for, and in fact he accounted for it at Vienna; the note which witness carried from Mr. Powell to the great house was for a passport; from the great house he carried an order to the house of the ambassador, where he got his passport; saw at the great house a footman, and a large rather handsome man, who spoke by signs. The first time witness went to the great house he carried a packet; the second time he called for a receipt for the packet, and to learn if there was any answer; the third time he called in consequence of having been directed to call again; the fourth time he called for his passports; these were the only occasions on which he called at the great house.

EXAMINED BY LORDS.

By the Earl of Rosebury.—Travelled alone to Vienna.

By Lord Grey.—When he was understood to have alluded to the loss of a book as disabling him from stating what time he lived with Mr. Hiat, his answer was incorrectly put down; witness in fact had no book, not being able to read or write.—[Witness was ordered to withdraw.]

After the witness had withdrawn, the Marquis of Lansdown submitted to the notice of the House, a letter written by M. Marietti, a banker in Milan, to his son, whose name had been alluded to in the evidence of Sacchi. [See page 1032]. This letter contained a paragraph to the following effect: “The object of this, my letter, is only to inform you, that it has been written to colonel Brown here, that you behaved yourself ill, relatively to things which interest the royal court, and the princess of Wales, for which

reason you are watched to such a degree, that it has been in agitation, that a command, called the Alien-bill should, be signified to you to leave the country; and especially for the express reason, that you have sought to discover from M. Sacchini, a Milanese, what he had deposed against the above royal person.” The noble Marquis begged to inquire, whether ministers had instituted any investigation of colonel Brown’s conduct, in respect of the subject of this letter, which he was aware had some time before come to their knowledge.

The Earl of *Liverpool* explained, that ministers were ignorant of even the name of Marietti, until the Queen’s counsel had handed this letter to him (Lord L.); and as soon as he had received it, a contradiction of its import was dispatched to Milan, with a demand of an explanation; that explanation could not possibly have yet arrived; but he had full confidence in the character of colonel Brown, that it would be satisfactory; and in the mean-time he would observe, that the letter, though it might bear such a construction, did not necessarily impute an interference on colonel Brown’s part.

Lord Holland observed, that whatever might have been the conduct of ministers, or that of their agent, the letter fully proved the general hardship of the Alien-act, and its injurious influence upon the Queen’s defence in the particular case.

Mr. Brougham having declared, that he did not contemplate any further cross-examination, the Solicitor-general proceeded to sum up.

The *Solicitor General* commenced by observing upon the peculiar difficulty of the task imposed upon the counsel for the Bill. By their own obvious inclination, and by the terms of the House’s order, they were precluded from becoming parties to the great question at issue. They had not the ordinary duty of counsel to discharge, by putting forward to the best advantage one side of a case only; but they felt bound to advance, with-

out regard to the influence it might have on either side; all the evidence which could in any way bear upon the cause.

In his present situation, the difficulty that more immediately pressed upon him was his ignorance of what he had to oppose.

He repelled the charge of calumny and slander, affirming, that nothing had been alleged by the attorney-general, which there was not reason to expect would be proved at the bar; and, in fact, little had been opened in that officer's statement which was not established by evidence, not merely in substance, but even as to the minutest details.

Before proceeding to comment upon the mass of evidence which had been delivered at the bar, he must offer one observation upon the nature of the proof by which a case of adultery was to be made out. And this observation he would most effectually convey in the following words of Sir William Scott in 1810, in the case of *Loveden and Loveden*: "There is no necessity to state the rule of evidence applicable to cases of this kind, except briefly. The fundamental rule is, that it is not necessary to prove a direct fact of adultery; it could not be so proved in one case of an hundred. It must be deduced by inference leading to a just conclusion; if this were not sufficient, there would be no protection for marital rights; it is not necessary to enumerate the various grounds of inference. This is not a matter of technical rule. Upon such subjects, the rational and legal conclusion is the same; general cohabitation is sufficient; artifices to evade particular observation, or held out to screen

the parties, form a just conclusion."

The solicitor-general then went into a minute review of the evidence as delivered at the bar, commenting upon the testimony of each particular witness, and the line of cross-examination taken in the case of each respectively by the Queen's counsel. The first fact of adultery at Naples was, he said, indisputably proved by the evidence of Demont; and he particularly directed the attention of their lordships to the circumstances of the Queen's having dressed and undressed for the masked ball, with the solitary attendance of Bergami. This circumstance had been wholly eluded in the cross-examination of Mr. Williams, who had strangely affected to understand the going at all to a masked ball, as the offence imputed in that part of the evidence. In dismissing the consideration of the masked-ball, the solicitor-general asked, "Is there nothing here to lead to the inference that adultery has been committed?" He then adverted to that part of the evidence of Majoochi affirming, that the Queen passed through the cabinet in which he slept to the chamber of Bergami. And in opposition to the inference attempted to be deduced by the cross-examination, he would say, that in rather passing through the cabinet where Majoochi lay (whose eyes she examined to ascertain that he was asleep) than risking a detection by passing the corridor, in which were the chambers of Austin, Hieronymus, and the female servants, the Queen took the more prudent course. But the supposed

non-recollection of Majoochi was triumphantly alluded to, as destroying the value of his testimony. The phrase *non mi ricordo*, of which the Queen's counsel had made so much, was of equivocal import; literally translated, it means, "I do not recollect to have seen or heard it," not strictly, "I do not remember a thing that existed formerly." The changes were rung upon this particular phrase, with an artifice calculated to impose upon low and vulgar minds; questions were adroitly asked in quick succession, to which it was impossible, that any man could give any other reply, studiously leading to the same answer for the purpose of imposition. And he would ask, were their lordships to be told merely on this artifice, intrigue, and management that this witness was unworthy of credit? Three times, however, had this witness been brought forward, for the purpose of turning this favourite answer to account. After the evidence of Paturzo had made a deep and lasting impression upon the House, an impression to efface which, by any scrutiny of Paturzo's own statement, the demeanor of that witness rendered hopeless, the effect of *non mi ricordo* was a second time tried, and at the conclusion of the case for the Bill, Majoochi is again brought upon the stage, to admit that he had been in Carlton-house; but this circumstance was so clearly stated, and the manner of the witness in giving this part of his evidence, was such, that if any doubt existed of his veracity before, these must remove it. The learned gentleman then proceeded with the other topics

of accusation, the scenes at the theatre *San Carlos*, going there, and returning; the arrangement of the rooms at Genoa; the secret breakfasts at that place; the noise in Bergami's room, and the locking of the doors; the fact that for a month the princess's bed had not been occupied. These facts depended upon the evidence of Demont, but the breakfasts in the cabinet were open to a direct contradiction by Louis Bergami, if they were unfounded. He then adverted to the introduction of the Bergami family, the separation of the Princess's English suite, and her care to avoid the society of English persons, as proved by her unwillingness to reside near Genoa, because many English resided in that city; this was stated in the evidence of Demont, and the same disinclination to the English was again proved in the evidence of Sacchi. The next fact was, the introduction of a low and vulgar woman, but the sister of Bergami, as lady of honor to the wife of the heir apparent to the British throne; then the appearance of Bergami in the morning in the dressing-gown of the princess, at his chamber-window at Milan; the dalliance and the gold chain at Venice.

At Bellinzona, Bergami, in his courier's dress, was admitted to the dining-table of the princess.

At General Pino's, Bergami was, after the hour of rest, seen passing into the bed-chamber of the princess.

The Solicitor General then adverted again to the continued proximity of the bed-chambers wherever the princess and Bergami were to be found, to the detached familiarities sworn to

by a number of witnesses, commenting at length upon the grotto scene, and citing the authority of Sir William Scott, in the case of Loveden and Loveden, for the necessary inference, from the practice of gross indecencies in concert, by persons of different sexes. He then went over the evidence of captains Briggs and Pechell, and that part of the evidence of Majoochi and Demont, which referred to the occurrences in the voyage to Sicily, and in that island; more particularly dwelling upon the statement of Demont, that at Catania, she saw the princess in the morning come from Bergami's room, with her pillow in her hand, and under circumstances which proved, that the princess must have been for at least two hours in the bed-chamber of her courier. This, it was true, was proved only by the evidence of Demont; and it had been attempted to destroy the value of that witness's testimony, by producing some letters in which she had spoken highly of the charity, sensibility, and other virtues of the princess; knowing the illustrious race from which the princess sprang, he was not disposed to question her possession, in an eminent degree, of all these princely qualities, but it was going too far to say that they were absolutely incompatible with the submission to a guilty passion. As to what had transpired in these letters, respecting an offer of an establishment in England, and the objections which had been raised upon the admitted ambiguity of their language, the witness's own explanation seemed completely satisfactory. If it were an object with her to com-

municate with her sister, as naturally it must have been, she had no choice of any other course. The letters bore the most unequivocal internal evidence of having been composed expressly for the eye of the princess; and that the princess would see any letter which she should write, she had abundant proof in the miserable intrigue at Pesaro, to which he reluctantly referred. A servant was observed by Bergami writing a letter; he advised a particular mode of transmission, which was adopted; the servant with her own hand placed the letter in the post-office at Pesaro; and on the next morning, to the disgrace of all parties, it was in the hands of the princess. But this was not the only breach of confidence of the same kind; another letter was taken from the post-office, terms were altered in it, and in this garbled form, it afterwards reached its destination; but this was not all; the alterations were in the handwriting of the princess. But the evidence of Demont was supported in all its general details; and if she made false charges; if there was nothing mysterious in the conduct of this courier; if Bergami was advanced solely on account of his merits; if such were the character of the connection, could there be a more desirable witness than that man himself, to contradict the testimony of Demont? The solicitor-general then briefly traced the progress of Bergami's promotion from the period when he was the hired servant of general Pino at three livres a-day, to the last honours conferred upon him by his indulgent mistress. He then referred to the familiarities on

board the polacre, and among the numerous witnesses by whom he said they were proved, he would particularize Gargiulo and Paturzo, whose evidence could not be shaken, and against whom nothing stronger could be alleged than that they had received compensation for their loss of time in attending this inquiry; but commercial persons were well aware of the difficulty of bringing witnesses to this country. Indeed every one at all familiar with courts of justice, must be aware that the sums received by these witnesses were not greater than ought to have been paid. In this part of the case it was also shown, that the princess and Bergami slept under the same tent chosen by themselves for six weeks. If this was proved to their satisfaction, there could be no doubt of the conclusion at which they must arrive. With respect to the exhibition of Mahomet, there had been at first some sneering; but soon after, its overpowering effects stunned the learned counsel for the Queen, and they forbore all further questions upon the subject. The solicitor-general then went over the evidence of Barbara Kress, Cuchi, Sacchi, Restelli, &c. with similar comments; he defended the conduct of ministers in appointing the commission of inquiry at Milan, and vindicated the characters of the three gentlemen to whom the delicate duty of collecting and examining the evidence was confided; and in conclusion, he observed, that he must consider the preamble of the Bill as proved, unless the proofs should be impeached by evidence, clear, distinct, and satisfactory, on the other side.

At the close of the solicitor-general's speech,

The Earl of *Lonsdale* reminded lord Liverpool of an observation which he had formerly made upon the separation of the divorce clause.—A short discussion arose upon the suggestion; but it appearing to be the sense of the House that the consideration of the subject was at the present premature, it was dropped.

FRIDAY, SEPT. 8.

The *Lord Chancellor* asked the Queen's counsel in what mode they designed proceeding with her Majesty's defence.

Mr. *Brougham* replied, that his own and his colleagues wishes were to proceed immediately. He was by no means certain that he should find it necessary to call witnesses; but if a necessity of calling witnesses not now in the country arose, he should have to beg their lordships' indulgence for a short delay, after having opened his case. [Counsel were ordered to withdraw, and Mr. Brougham's proposition was discussed at considerable length.]

The Earl of *Liverpool* proposed, "That the counsel for her Majesty be informed, that if they thought proper now to proceed to state the case of her Majesty, and meant to produce evidence, they must now proceed, at the close of the statement of the case, to produce the whole evidence intended to be adduced, such being the usual course of proceeding; but that the House were willing to adjourn for such reasonable time as the counsel for her Majesty might propose, in order that when they began their statement, they might be able to proceed in producing their proof at the close of it.—The resolution was carried by a majority of 165 to 60.

Lord *Erskine* moved, "That counsel be called in and told, that to-morrow her Majesty's attorney-general would be allowed to comment on the evidence adduced in support of the Bill, without entering into any statement of the case for the defence."

The motion was rejected by a majority of 170 to 49.

SATURDAY, SEPT. 9.

Upon the application of her Ma-

esty's counsel, the further consideration, and second reading of the Bill, was adjourned to Tuesday the 3rd of October.

TUESDAY, OCTOBER 3.

THE QUEEN'S DEFENCE.

Lord *Liverpool* rose to state that he had thought it necessary to inquire into the facts connected with Mr. Marietti's letter. His lordship read a number of letters, one from col. Browne, denying in the strongest terms, that he had held out any threats to Mr. Marietti; a letter from a Mr. Albertoni to the same effect; and a letter from the elder Mr. Marietti, explaining, that it was merely from his own displeasure at the line of conduct which he had heard from his private friends that his son was pursuing, that he wrote the letter which had excited so much attention. Colonel Browne's letter strongly solicited the most minute investigation of his conduct, a request which the earl of *Liverpool* begged to say he warmly seconded.

Lord *Holland* was not satisfied with the explanation; and even if it were satisfactory, it removed none of the general objections to the Alien act.

The Earl of *Lauderdale* was of opinion, that an explanation was due from the other side, and that the original letter, on which the accusation of colonel Browne was founded, ought to be laid before the House.

The Earl of *Darnley* moved, "That an account of the total amount of expenses, on both sides, should be produced."

The Earl of *Liverpool* said, he would have no objection to furnish the accounts in question at

any proper time, when the legislative or judicial proceeding before the House, was concluded.

The Marquis of *Lansdowne* said a few words, when

The Earl of *Darnley* withdrew his motion; and at 20 minutes before 11 counsel were called in.

Mr. *Brougham* then proceeded to address the House on the part of her Majesty. It was not, he said, the novelty, nor the magnitude of the cause confided to him, which dismayed him; but the knowledge of the full conviction of its strength, and the fear that his best exertions must be inadequate to it: this, for the first time, cast the cause into doubt, and exposed him to the condemnation of the millions of their lordships' countrymen, who were now watching the progress of their lordships' proceeding with such intense anxiety. It was another misfortune to him, that in the discharge of his duty to his client, he might be called upon to act a part, which (though not in the opinion of their lordships) might be thought inconsistent with the loyalty of a good subject. It was, however, a gratification, that his cause did not demand of him, that he should go back beyond her Majesty's departure in the year 1814; nor to recur to a recriminatory defence. This defence he was happily enabled, by the strength of his cause, to waive; but he should for ever contend, that he should be entitled to employ it if necessary. An advocate should know no person but his client; no object but his client's vindication; and, in his client's cause, should the destruction of his country oppose itself to his client's defence, he must even then forget the duty of a pa-

triot. If necessary, he would not hesitate to recur to recrimination, but if he did not deceive himself, no such necessity could arise. He denied it as foul and false that her Majesty's advocates acknowledged her Majesty to have been guilty of levities; he denied them all. It was true that her Majesty had been compelled to exchange the society of British nobility for that of Italians; but should their lordships, who had excluded her from the society of their families, urge or receive this as an accusation? Under this persecution and exclusion she still enjoyed one consolation—the knowledge that she possessed the affections of her child. The marriage of this child, which was known to all Europe, was a secret to her Majesty. By an accident the princess of Wales heard of her daughter's marriage, and by a like accident she heard of her death. But if she had not heard of it by accident, she would soon have known it, for the death of the princess Charlotte was announced to her by the issuing of the Milan Commission. It had been the Queen's misfortune to lose successively all the friends upon whose protection she could rely; Mr. Pitt, Mr. Perceval, Mr. Whitbread, the princess Charlotte; and the same month, which saw the remains of the late King consigned to the tomb, introduced the ringleader of the band of perjured witnesses to the royal palace of his illustrious successor. He (Mr. Brougham) gave the attorney-general full credit for not having exceeded his instructions. But in illustration of the degree to which these instructions were supported by the evidence, he would advert to a few of the

assertions made in the attorney-general's statement. First, he would observe, that the attorney-general had promised to bring down the history of the Queen's conduct to the present time, whereas the evidence did not approach the present time nearer than an interval of three years. Again, at Naples it was said that the princess had denied herself to the Neapolitan nobility, but nothing of this kind had appeared in evidence. The attorney and solicitor generals had certainly manifested no acquaintance with Italian manners, when they set up so highly the judgment of a Cassino, as a proof of the princess's unworthiness, and made it matter of wonder that she went disguised to a masquerade in a hired carriage, and not in her state coach. Mr. Brougham proceeded to point out other discrepancies between the attorney-general's statement and the testimony of the witnesses. Nothing had been proved of the disgust of the foreign nobility; in fact, the opposite had been proved. She had been received by the legitimate House of Baden, the more legitimate Bourbons of Palermo, the legitimate Stuarts of Sardinia, and, most legitimate of all, the Dey of Algiers. Never was a criminal case brought into court under circumstances more favourable to the plaintiff. They had as witnesses the two persons whom counsel in such cases were always most anxious to obtain—the body servants of the parties, with one of whom counsel in such cases always think themselves secure; yet a few equivocal facts were all that could be proved. Walking arm-in-arm, and other familiarities had been proved as having taken

place under circumstances of complete exposure. Such indeed was the incredible degree of exposure, that she could not kiss, any more than execute a deed or a will, without witnesses. Adverting to the character of Italians in all ages, Mr. Brougham quoted the opinion of the Italians as taken by Henry the 8th, and recorded by state papers in Rymer, and Bishop Burnett's History of the Reformation; and drew at great length a humorous parallel between the proceedings upon that occasion in Italy, which were, it appeared, conducted by a Mr. Crook, and the Milan Commission. He then complained of the omission of calling any of the Queen's English ladies in support of the prosecution.

At a quarter past one, without having alluded to any of the evidence to be called for the defence, Mr. Brougham begged to retire for a few minutes, which was immediately granted.

In half an hour the learned gentleman resumed his argument.

There was, he said, one observation which applied generally to all the material witnesses for the Bill, namely, the system of patching and mending, by which the case was sustained through its progress. This had been rendered easy by the publication of the evidence. For example, Majoochi disclaimed having seen any thing indecent in the Moorish dance of Mahomet; at an interval of two days Birollo improved upon the story, and described something of a rotula or roll which the Arab formed with the linen of his trowsers; but on the following Wednesday came a witness, and told, in plain down-right terms, a filthy story, which he, Mr. B.

was able to prove false; because he could show, that wives and daughters, as pure as any of their lordships had the happiness of possessing, had witnessed the same dance. Again, after the phrase *non mi ricordo* had been rendered suspicious by Majoochi's too prodigal use of it, it had been regularly dropped by all the other witnesses; and no sooner had Gargiulo and Paturzo proved that they were brought here by sums so inadequate to the service, by sums so infinitely beyond even the most ample remuneration for their work—that they were bribed by such sums as Italians in their situation never dreamed of; no sooner had this fact dropped out, than one and all of them are turned into disinterested witnesses. “Half-a-crown a day for the loss of my time, my travelling expenses, and a few stivers to feed my family.”

Returning to the omission of calling the ladies who had been in attendance upon the Queen; was this an occasion, he said, on which the prosecutors should be allowed to come forward with half a case? Was he to say, “These witnesses I shall not call; true, they are the best, they are unimpeachable; if they depose against the Queen, she is utterly undone; but I will not call them; they are your witnesses, not mine. Do you call them, they come from your vicinity: they are not tenants of Cotton-garden, and therefore I dare not, I will not produce them. But when you call them, we shall see what they will state; and if you do not call them—In the name of justice what? For shame, in this temple, this highest temple of justice, to have her most sacred robe so profaned, that I am to

be condemned in the plenitude of proof, if guilt is—that I am to be condemned, unless I run counter to the presumption which rules all courts of justice—that I am innocent until I am proved guilty, and that my case is utterly ruined, unless I call my adversary's witnesses!—"My lords, my lords," exclaimed Mr. Brougham, "if you mean ever to show the face of those symbols by which justice is known to your country, without making them to stand on eternal condemnation of yourselves, I call upon you instantly to dismiss this case, and for this reason, and I will not say another word upon the subject."

Mr. Brougham then proceeded to analyse the testimony of Teodoro Majoochi, upon the peculiar felicity of whose forgetfulness he observed at great length. He admitted the possibility of innocent lapses of memory, but he cited a great number of Majoochi's answers to prove, that in the majority of cases his assumed forgetfulness was perfectly incredible. The facts which this witness affected to forget were as distinct and specific as those which he professed to remember; but there was this difference between them, he forgot every thing which might serve to lead to a fair examination of the truth of his testimony, and accurately remembered all that could be used to the injury of the Queen. Mr. Brougham went through the whole of the witnesses' evidence in minute detail, observing with much ingenuity, and frequently with manifest success; upon the apparent exaggerations, fabrications, and contradictions contained in it. The learned gentleman then adverted to the evidence of

Gargiulo and Paturzo, which he characterized as incredible and contradictory, and the so much praised manner of the latter he could not but call flippant and disrespectful. Better paid swearers than these men, however, were not to be heard of—the mate, now the fourth part owner of a trading vessel, was paid at the rate of 2,000*l.* a year; that vessel should, therefore, earn 8,000*l.* a year, equivalent to at least 16,000*l.* or 18,000*l.* in this country. There was not a ship-owner in Messina, he said, who made half the money by all his ships. In that country, a man of two, three, or four hundred a year, is a rich man. Fifteen hundred pounds a year is a property possessed by none except the great noblesse, and the names of the possessors of clear profits of 8,000*l.* a year would resound over Italy as the rich of the earth.

The captain, as might be expected, was paid at a higher rate than his mate, viz. 2,400*l.* a year; and this, though his ship was not put out of use by his absence.

In addition to this, Gargiulo was, by his own confession, giving evidence against the Queen under the double influence of revenge and expectation of profit—revenge, for that Bergami withheld from him a gratuity of 1,300*l.* to which he considered himself entitled, and hope that the British government would discharge the Queen's honorary debt.

Mr. Brougham then remarked with sarcastic pleasantry upon Gargiulo's hypocritical pretensions to extraordinary modesty, and his rigorous watchfulness over the morals of his mate and kinsman, whom he would not suffer to

witness the familiarities of the Queen and Bergami. But if their lordships did not give credit to this prudish conduct on the part of this ship captain, they must conclude him perjured. The same observation applied to this man's extraordinary assertion, that he never conversed with Paturzo upon the subject of their testimony—that, intimate in all other respects, living together in the same magazine of evidence, sleeping in the same room, breakfasting together the very morning before they came here, again together the day before the first had been examined, and when the second was to come, the only subject on which they never talked in all the intimacy of master and mate, and blood and connexion, was that which at the moment occupied all other men. The same assertion had, indeed, been repeated by all the other witnesses, and it was consolatory to know, that however prejudicial the inquiry might be to the highest and most illustrious persons—however pregnant with every thing offensive to morals and good taste,—whatever mischiefs to the conduct of social life might arise from the disgusting details exposed to light by this ill-omened proceeding,—there was one little spot on the face of the island, one little land of Goshen sacred from those subjects which offend the delicate and alarm the apprehensions of morality; and, strange to tell, that little spot was Cotton-garden, where the most strictly modest matron might lead the most chaste and bashful virgin without fear that that virgin's face would ever be suffused with a blush—for there, amongst the witnesses,

the contrivers of the plot; amongst those who appeared before their lordships to give utterance to the abominations of their own fancy; amongst them no whisper could be heard upon the subject, which every where else vitiated the mind and debased the character of the country. If their lordships gave credit to this miracle, he was not inclined to dispel so agreeable an illusion; but if they did not believe it, they must believe every witness in that dépôt perjured again and again.

Mr. Brougham next adverted to the evidence of Demont; her character he was willing to take from her own lips. She was a person of a romantic disposition, naturally implanted in her mind, and improved by an extensive intercourse with the world. She does not like mankind in the abstract, "*potius inimica omnibus quamlibet amica.*" She makes an exception, however, in favour of Sacchi. This woman was the most perfect specimen, the most finished model, of the complete waiting-maid. She displayed consummate art in endeavouring to reconcile her stories at the bar with the letters afterwards produced by Mr. Williams; but had she known in time of the preservation and existence of these documents, their lordships had never seen her face, as they had not seen the faces of seventy other witnesses whom the patrons of the Bill dared not to call, but had shipped off to their own country, like so much meat or live lumber. Demont's constant practice was to deal in "double entendres." Sacchi did the same: she in her letters, he in his conversation with Mr. Marietti; to both might be

applied what was formerly said of a whole people—" *tribuo illis literas, do multarum artium disciplinam, non adimo sermonis leporem, ingeniorum acumen, dicendi copiam, denique etiam si qua sibi alia sumunt non repugno; testimoniorum religionem et fidem nunquam ista natio coluit totiusque hujusce rei quæ sit vis, quæ auctoritas, quod pondus, ignorant.*" But she had been praised for the candor with which she had acknowledged her falsehoods by wholesale. In any body but a witness such candor might be praised. It was too much to ask men to open their ears to her tales, because she was so engaging a liar; so strange an argument for giving credit to a witness was never before employed as to cite the candor with which she admitted that she was not worthy of belief. But her explanations were unsatisfactory, —her *double entendres* did not fit —her gloss did not suit her text. There could be no question that she was sincere in her praises of the Queen; and the matter only became doubtful as she enveloped it in her extempore endeavours to get rid of the indisputable evidence of her own handwriting. A sufficient proof of her real conviction of the purity and decorum of the princess's household was to be found in her anxiety to continue in the house which she has since described as worse than an ordinary brothel, one sister of the age of seventeen, and to introduce into the same dissolute scenes, another sister, the object of her dearest affections, of the age of only fifteen years.

Mr. Brougham said, he would next come to that amiable gentleman Mr. Sacchi; and he must

observe upon it as a pleasing specimen of the liberality of the times, that this person had met with so favourable a reception among their lordships; it showed how vulgar prejudices against Buonaparte and the French nation were wearing away, when it was thought a recommendation of a witness that he had been a soldier of Napoleon, and promoted by that Corsican adventurer, that revolutionary chief, usurper, &c. as if the public had never been sickened by whole volumes poured forth for the purpose of showing, that the very name of a French hussar was the name for everything most profligate and abandoned. A man who was promoted from the ranks of the French army, and was refused a commission in the Swiss army, would, a few years ago, have stood very little chance of mending his credit upon these claims. Mr. Brougham then animadverted in detail upon Sacchi's evidence, his *double entendres* about a Spanish family, and a law-suit with the Queen, in his conversation with M. Marietti, his uncertainty as to his having said that he had money at his banker's, when he knew that he had no money, and his evasion of the question, whether he had declared himself guilty of ingratitude to the Queen. But though this witness had artfully denied such declaration, he (Mr. Brougham) was in possession of letters in his hand-writing, —indeed he had acknowledged them, —in which he had charged himself with ingratitude, in the plainest terms; and these letters their lordships should see. But, in addition to these circumstances, Providence, which always

protects the innocent, had allowed one answer, which must utterly destroy his credit. When questioned upon the subject of his multiform names, he said, he had assumed the name of Milani on his arrival in England, in July, 1819, in consequence of the riot (*tumulto*), evidently alluding to the Dover riot, in July, 1820; the act anticipating its assigned motive by no less than 12 months. It had been, to be sure, attempted to distinguish away the Dover riot. Men, however, now talked of the Dover riot, and the risk to which witnesses were exposed with familiarity, because the circumstances were notorious; but, to go back to July, 1819, who, in his most fanciful mood, ever dreamt of any one part of the scene that had taken place? As to the disgusting story which Sacchi and the turned-off courier, Restelli, had trumped up between them, he would ask their lordships, did they believe that any woman, even the most miserable that gained her bread by prostitution, would do that thing openly in the face of day? And this they were required to believe was the daily habitual practice of the princess.

Mr. Brougham declared his own opinion that there was a physical impossibility in the way of such an indecency as was described being practised in a carriage, moving over rough roads; but what if he should show that the carriage used by the princess on the journey was an English carriage, with spring blinds, and that Sacchi did not accompany her majesty at all upon that journey? But, my lords, said Mr. Brougham, was there another person in the carriage? *Non mi ricordo* was

the answer of Sacchi, adopting the language of the celebrated Majoochi; but this crafty and convenient forgetfulness should not serve its purpose; there *was* another person in the carriage through the whole of the journey, as would be proved. But what would be the conduct of a person having witnessed such a scene, and that person a servant? Is it very likely that, from that moment forward, his lips would have been hermetically sealed; that he should never dream of confiding it to the easy and willing ear of his tender, and gentle, and soft friend Demont; not in her intimate and delightful society which he had enjoyed in England and abroad for months, from a delicacy, no doubt, in their intercourse far above that of other pairs? True, he did, knowing that others had split from a profession of incredible taciturnity, say, that he had told the circumstance to people, "though he could not name one of them."—[The House adjourned.]

WEDNESDAY, OCTOBER 4.

Mr. Brougham resumed.—Before proceeding to examine minutely the evidence of Barbara Kress, he observed upon the want of balance between the countries from which the witnesses were recruited. The whole of Switzerland, the whole Helvetic league appeared in the person of a single chambermaid, and the German empire was represented by the cellar-maid, or assistant drawer at an inn; and all the rest, with the exception of two whom he deemed his witnesses, were Italians. Mr. Brougham then minutely detailed the evi-

dence of Kress, adverting to such parts of it as he thought appeared contradictory, incredible, or otherwise unfavourable to the character of the witness. He animadverted with indignation upon the conduct of the Barons Reden and Grimm. The latter had insidiously offered to accommodate the Queen with the use of his apartments; he kindly left the principal apartment, and disinterestedly encountered the inconvenience of a change to other and worse lodgings; he courteously gave her the use of those from which he had himself departed; and, as soon as her royal highness, on the very day that she had left them, he returns again to the same rooms, and he is found with another coadjutor in this plot, running up and down—to use Barbara Kress's expression,—“Running about the rooms,” examining every thing, looking at the furniture, prying into the beds, taking note of what had passed, that he might report to those who he thought would have been well pleased if he had gone upon such errands, but who I know and feel were above sending him upon such a dirty mission. But, my lords, said Mr. Brougham, in one character he does not appear. Active as this agent every where is as a runner of the conspiracy, sedulous and unscrupulous in his observations as he has been, regardless of his own dignity and forgetful of that of the sovereign whom he represents, as he has proved himself to be, he nevertheless does not condescend to make himself a witness—he does not adventure to come forward here—he does not show the same boldness to

face your lordships and us, which he showed to face the reprobation of the public in his own country, and wherever else his conduct should be criticised. Here, however, the baron is not forthcoming—here he is not to be found—yet here he was a material witness, material in proportion to the importance of the matters which Barbara Kress alone has been brought to this country to swear to—of paramount importance, because Kress is the only witness who is brought to swear to any one of those particulars that are said to have passed at Carlsruhe—of still greater importance, when your lordships reflect, that because, as he entered the room at the moment the Queen left it, he must have been able, if Kress spoke the truth, to give confirmation to it.

Mr. Brougham then went over the evidence of the other witnesses with similar comments. Alluding to the facts charged to have occurred at Trieste, and the silence which Cuchi pretended to have observed, regarding them until he detailed them before the commissioners at Milan, the learned gent. said, my lords, you will see that in this instance we have no variety. There is, in this respect, a general sameness in the conduct of these witnesses. In other instances there are variations of importance. Do your lordships recollect Pietro Cuchi, the waiter from Trieste? Can any man who saw him have forgotten him? Does he not rise before your faces the instant I mention his name—unless many of your lordships should recollect the face, the never-to-be-forgotten expres-

sion of face, although the name may have escaped you? Do your lordships recollect that expression of physiognomy—those eyes—that nose—that lecherous mouth with which the wretch stood here to detail impurities which he has invented, to repeat the falsehood to which he had previously sworn at Milan? Do you recollect the eye of that hoary pander from Trieste? Did he not look, as the great poet of Italy describes the hoary lecher in the infernal regions to have looked, when he says that he regarded him with the eye, the gloating eye of an ancient tailor peeping through the eye of his needle? My lords, I remember that man well. The story he told is enough. But I will contradict him; for he, at least, shall not pass unpunished. He, at least is here. He must be made an example of. I can contradict others: I can drag others to punishment: but he shall not escape. My lords, I will show you, by evidence undoubted, unquestionable, above all suspicion, that that man must have sworn falsely. I will prove it by the room itself. I can, if I will, prove it by the position of the door. I think his own account of the position of that door, in answer to questions put by your lordships, might almost save me the trouble of doing it. But I will show you more. I will show you, that what he swore cannot be true—either here, if your lordships put me to the necessity of it, or elsewhere, for the sake of justice: I can show, my lords, that the Queen slept at Trieste, in her whole life, but one night; that she came one day, went to the Opera, as he admitted she

did (that was the only truth the witness told), left it on the morrow, and neither before or after ever crossed the threshold of the gates of Trieste in her days.

Returning to the bridal night scene at Naples, as described by Demont, he pledged himself to prove that the Queen did not retire early from the Opera, and that Austin was removed from sleeping in her chamber long before her arrival in that city. As to the other Opera scene at Naples, at which the princess was hissed out of the theatre, he would ask why it was to rest upon the unsupported testimony of Demont. Would not the hissing of such a person as the princess, for such a cause as the indecency of her dress, have been known to all who attended the place? Would it not have been afterwards told by all the gossips of Naples?

“Et otiosa credit Neapolis,
Et omne vicinum oppidum.”

Why was not Preising, who had the care of the Queen's linen, called as to the state of it? She was in London in the hands of the patrons of the Bill; he would answer, because she was not an Italian. With respect to the scene at Catania, described by Demont, he asked why was not the other maid who was sworn to have been present at it, called also? This amour was laid at a time when Bergami was ill of a fever. And now I am told, my lords (said Mr. B.), that I can contradict all this by means of Mariette Bron, the sister of Demont, and that it must all be believed, unless Mariette Bron is called. I say, why did not you call Mariette Bron? I say, she is

your witness; because you opened her evidence; because you vouched her—because you asserted that she was present—because you told us what she saw. And yet you call only her sister, whom you have in your own pay. I say she is your witness; because this is a criminal proceeding; because it is worse than a criminal proceeding; or of a nature higher at least in its exigency of pure, perfect proof. I say a bill of Pains and Penalties is a measure of such severity, that it ought to be supported by evidence, better, if possible, and stronger, than that which takes away life or limb. I say, she is your witness, and not ours; because we are the defendants, the accused and oppressed by the bill of Pains and Penalties, which does not only accuse, but oppress and seek to overwhelm. She is your witness and not ours; because we stand upon our defence, and we defy you to prove us guilty, and unless you prove our guilt, and until you prove that guilt, we ought not—if justice yet reigns here—we ought not to be called upon for a defence. My lords, in a common civil suit, I can comprehend such tactics. I am not bound in claiming a debt, to call, to prove my case, my adversary's servant, or his clerk, or his relation; but if I am placed upon my defence, even for the lowest crime known in the law, pure, unsuspected testimony must be given, whether it is to be derived from one quarter or from another—whether it is to be got from their side or ours. And I will put a case to remind your lordships of this:—Suppose a high-way robbery or murder to be alleged to have been

committed, and a man is put upon his trial, and that a Bow-street officer, panting for his reward, or an accomplice, infamous by his own story, or a spy, degraded by his calling, or any other contaminated, impure, necessarily suspected witness of any description, is alone put forward to prove that charge; and suppose a friend of the defendant were standing by, his servant, or his partner in trade, or any person who is barely competent, by the rules of evidence, to appear as a witness—any person except his wife, who cannot be a witness—I say, no man ought to be put in jeopardy of his life, or be called upon to produce in his defence, that friend, that relation, that servant, unless the case against him has been first proved by unsuspecting testimony. The Queen, my lords, has about her person a sister of Demont. She was placed there by that Demont. She was kept there by the arts of that Demont. She has corresponded with that Demont—they have corresponded in ciphers together, if you are to believe Demont, which I do not. But I take her as described by the case for the accusers; and, under all the circumstances, to justify, nay to prescribe suspicion, as a duty to her own personal safety, my learned friends yet leave their case short against her, proved by such evidence as I have described to you, or rather as it is painted by the witnesses themselves. They say, “Why do not you call the waiting-woman, Mariette Bron, who is still left by her sister with you?” My lords, he who fulminated over Greece, in words of fire, formerly said, and I would repeat it, and remind

your lordships of it, and implore you not to take it in my own words, but to recollect the words that fell from him, in which he imprinted on his countrymen, that instead of all outworks, all fortifications or ramparts, which a man can throw up to protect the feeble, the best security which the feeble have against the fraudulent and the powerful, is that mistrust which nature, for wise purposes, to defend the innocent against the strong and the cunning, has implanted in the bosom of all human kind. It is alien to the innocent nature; but it is one of the misfortunes to which innocence, by persecution, is subject to, to be obliged to harbour mistrust, while it is surrounded by agents so little scrupulous as the Grimms and Omptedas, with agents so still less scrupulous, as Majoochi, Sacchi, and Demont.

My lords; I am satisfied in my own mind—I have no doubt—that all who hear me will agree with me, that we are not bound to call that witness. I am confident that we might have appealed to the principles which I have now reminded your lordships of, and have at once left the case as it stands, without calling that woman. But her majesty has yet seen no reason to part with a faithful servant. Whatever we may suspect—whatever the story of Demont might have taught to believe probable—her sister Mariette shall appear at your lordships' bar.

My lords (said Mr. Brougham) I have another remark to make, before I leave this case. I have heard it said, by some acute sifters of evidence, “Oh! you have damaged the witnesses, but

only by proving perjury, by proving falsehoods indeed, in unimportant particulars.” I need only remind your lordships, that this is an observation which can only come from the lay part of the community. Any lawyer at once will see how ridiculous, if I may so speak, such an objection must always be. If I am to confirm the testimony of an accomplice—if I am to set up an informer—no doubt my confirmation ought to extend to matters connected with the crime—no doubt it must be an important particular that it will avail me to prove by way of confirmation. But it is quite the reverse in respect to pulling down a perjured witness, or a witness suspected of swearing falsely. It is quite enough if he perjure himself in any part, to take away all credit from the whole of his testimony. Can it be said, that you are to pick and choose—that you are to believe part, and reject the rest as false? You may—if you are convinced the part you believe is true, notwithstanding other parts which you do not believe; those parts not being falsely stated wilfully by him, but parts which you do not believe, because he may have been ignorant of or may have forgotten them. In this sense, you may choose—culling the part you believe, and separating the part you think contradicted. But if one part is not only not true—is not only not consistent with the fact, but is falsely sworn, in other words, a lie, there is no safety for mankind, for life or honour, if such a witness is to be credited.

My lords, I am told that the situation of life in which Bergami, since promoted to be the

Queen's chamberlain, originally moved, that that sphere of life, compared with the fortune which has since attended him in her service, is of itself matter of suspicion. Let me, however, remind your lordships, that the rapidity of the promotion of Bergami has been greatly overstated; and the manner in which it took place is a convincing proof, that the story of love having been the cause of it, is inconsistent with the fact. Believe Majoochi and Demont, and three weeks after Bergami's arrival in the household, he was promoted to her bed. How was it with respect to the board? Because, after that, he continued in the situation of courier; he dined with the servants, and lived not even with the chamberlains; certainly not, for they were at her table, as usual. He continued to dine with the servants at Genoa; notwithstanding Majoochi's story, it is proved to your lordships that he did not dine with her. He continued as a courier, even after he had once sat at her majesty's table by accident. This is not the rapidity of pace with which love promotes his favorite votaries; but he was a man of merit, as your lordship shall hear in evidence—his father was a proprietor of moderate income, in the north of Italy. He had got into difficulties, as happened of late years to many of the Italians; and his son had sold his estate in order to pay his father's debts.

Mr. Brougham then went on to speak of the familiar terms upon which Bergami lived with his former master general Pino, and to state, that he was specially recommended to the Queen

as a person deserving of protection and promotion by the marquis Ghisilieri, chamberlain to the emperor of Austria.

In conclusion, Mr. Brougham observed, that as the conduct of the Queen had been so severely scrutinized, and as it was important to show that where guilt had not existed, even impropriety could not be proved, he had thought it right to say so much of the circumstances of Bergami. If the Queen had frequented company below her proper station, if she had been proved to have committed any guiltless unworthiness, he could have stood notwithstanding upon high ground indeed; but he had no occasion to stand upon it; guilt there was none—levity there was none—unworthiness there was none: had there been any of the latter, he might have appealed upon a ground which always supports virtue in jeopardy,—the course of her former life at home, while she enjoyed the protection of the late King. In his hand he held a testimonial from that beloved prince, which he was sure could not be read without the deepest sense of its importance, and the deepest sorrow that he who wrote it had been no longer spared. The plainness and honesty, and intelligible manly sense of this letter (said the learned gentleman), is such, that I cannot refrain from the gratification of reading it. It was written in 1804—

“ Windsor Castle, Nov. 13th, 1804.

“ My dearest Daughter-in-law and Niece;—Yesterday I and the rest of my family, had an interview with the prince of Wales at Kew. Care was taken on all sides to avoid all subjects of altercation or explanation; consequently the conversation was neither

instructive nor entertaining; but it leaves the prince of Wales in a situation to show whether his desire to return to his family is only verbal or real,"—(a difference which George the 3rd never knew, except in others)—“which time alone can show. I am not idle in my endeavours to make inquiries, that may enable me to communicate some plan for the advantage of the dear child you and me with so much reason must interest ourselves; and its affecting my having the happiness of living more with you is no small incentive to my forming some ideas on the subject; but you may depend on their being not decided upon, without your thorough and cordial concurrence, for your authority as mother it is my object to support.—Believe me, at all times, my dearest daughter-in-law and niece, your most affectionate father-in-law and uncle,

“GEORGE R.”

This, my lords, was the opinion which this good man, not ignorant of human affairs, no ill judge of human character, had formed of this near and cherished relation, and upon which, in the most delicate particulars, the care of his grand-daughter and the heir of his crown, he honestly, really, and not in mere words, always acted.

I might now read to your lordships a letter from his illustrious successor, not written in the same tone of affection—not indicative of the same tone of regard—but by no means indicative of any want of confidence, or at least of any desire harshly to trammel his royal consort's conduct.

The learned counsel read the letter, as follows:

“Madam;

“As lord Cholmondeley informs me, that you wish I would define in writing, the terms upon which we are to live, I shall endeavour to explain myself upon that head with as much clearness and with as much propriety as the nature of the subject will admit. Our inclinations are not in our power, nor should either of us be held answerable to the other, because

nature has not made us suitable to each other. Tranquil and comfortable society is, however, in our power; let our intercourse, therefore, be restricted to that, and I will distinctly subscribe to the condition which you required, through lady Cholmondeley, that even in the event of any accident happening to my daughter, which I trust Providence in its mercy will avert, I shall not infringe the terms of the restriction, by proposing, at any period, a connexion of a more particular nature. I shall now finally close this disagreeable correspondence, trusting, that, as we have completely explained ourselves to each other, the rest of our lives will be passed in uninterrupted tranquillity. I am,

“Madam, with great truth,

“Very sincerely your's,

“GEORGE P.”

“Windsor Castle,

“April 30th, 1796.”

My lords, I do not call this, as it has been termed, a Letter of Licence—this was the term applied to it, on the former occasion, by those who are now, unhappily for the Queen, no more—but I think it such an epistle as would make it matter of natural wonderment to the person who received it, that her conduct should ever after—and more especially the more rigorously, the older the parties are growing—become the subject of the most unceasing, unscrupulous watching and investigation.

Such then, my lords, is this case. And again let me call on your lordships, even at the risk of repetition, never to dismiss for a moment from your minds, the two great points upon which I rest my attack upon the evidence;—first, that they have not proved the facts by the good witnesses who were within their reach, whom they have no shadow of pretext for not calling—and secondly, that the witnesses whom they have ventured to call are, every one of them,

injured in their credit. How, I again ask, my lords, is a plot ever to be discovered, except by the means of these two principles? Nay, there are instances, in which plots have been discovered, through the medium of the second principle, when the first had happened to fail. When venerable witnesses have been seen to be brought forward, when persons above all suspicion have lent themselves for a season to impure plans, when nothing seemed possible, when no resource for the guiltless seemed open—they have almost providentially escaped from the snare by the second of those two principles; by the evidence breaking down where it was not expected to be sifted, by a weak point being found, where no pains, from not foreseeing the attack, had been made to support it. Your lordships recollect that great passage—I say great, for it is poetically just and eloquent—in the Sacred Writings, where the Elders had joined themselves, two of them, in a plot which had appeared to have succeeded, “for that,” as the Scriptures say, “they had hardened their hearts, and had turned away their eyes, that they might not look at Heaven, and that they might do the purposes of unjust judgments.” But they, though giving a clear, consistent, uncontradicted story, were disappointed, and their victim was rescued from their gripe, by the trifling circumstance of a contradiction about a mastich tree. Let no man call those contradictions or those falsehoods which false witnesses swear to from needless falsehood, such as Sacchi about his changing his name, or such as Demont about her letters, or such as Majoochi about the

banker’s clerk, or such as all the others belonging to the other witnesses not going to the main body of the case, but to the main body of the credit of the witnesses—let not man rashly and blindly call those accidents.—They are dispensations of that Providence, which wills not that the guilty should triumph, and which favourably protects the innocent.

Such, my lords, is this case now before you! Such is the Evidence in support of this measure—inadequate to prove a debt—impotent to deprive of a civil right—ridiculous to convict of the lowest offence—scandalous if brought forward to support a charge of the highest nature which the law knows—monstrous to ruin the honour of an English Queen! What shall I say, then, if this is their case—if this is the species of proof by which an act of judicial legislation, an *ex post facto* law, is sought to be passed against this defenceless woman? My lords, I pray your lordships to pause. You are standing upon the brink of a precipice. It will go forth your judgment, if it goes against the Queen. But it will be the only judgment you ever will pronounce which will fail in its object, and return upon those who give it. Save the country, my lords, from the horrors of this catastrophe—save yourselves from this situation—rescue that country, of which you are the ornaments, but in which you could flourish no longer, when severed from the people, than the blossom when cut off from the root and the stem of the tree. Save that country, that you may continue to adorn it—save the Crown, which is in jeopardy—the Aristocracy which is shaken

—the Altar itself, which never more can stand secure amongst the shocks that shall rend its kindred throne. You have said, my lords, you have willed—the Church and the King have willed—that the Queen should be deprived of its solemn service. She has, indeed, instead of that solemnity, the heartfelt prayers of the people. She wants no prayers of mine. But I do here pour forth my supplications at the Throne of Mercy, that that mercy may be poured down upon the people, in a larger measure than the merits of its rulers may deserve, and that your hearts may be turned to justice.

Mr. *Williams* followed on the same side. He examined and discussed the evidence for the Bill, with even more minuteness than Mr. Brougham; but up to the conclusion of the day's proceeding, he did not open any topic which had not been previously touched upon by Mr. Brougham.

THURSDAY, OCTOBER 5.

Previously to Mr. *Williams* resuming his argument,

The Marquis of *Lansdown* called the attention of the House to a letter, purporting to have been written by Mr. *Marietti* the elder to his son, which had appeared in the newspapers, and which seemed to repeat the charge against colonel Browne, of having used threats to deter the latter from interfering in the Queen's behalf; the letter bore date the 20th of September. He would move that Mr. *Giuseppe Marietti* should be called to verify the hand-writing of his father

in the different letters that had been produced.

The Earl of *Liverpool* expressed his concurrence, and Mr. *Marietti* was sworn. He verified several letters, but none corresponding in date with the published letter alluded to by the marquis of *Lansdown*. Being asked by the noble marquis whether he had received any other letter from his father upon the subject of his interference on the Queen's behalf, he replied in the negative.—[The letters were put in.]

Mr. *Williams* resumed his argument with an allusion to the peculiar difficulties by which the Queen was embarrassed in endeavouring to bring forward witnesses in her defence—not to deal in vague generalities, he would cite particular instances. In order to meet the evidence of *Barbara Kress*, her Majesty had thought it expedient to produce the Chamberlain of the Grand Duke of *Baden*, who had been placed, by the special appointment of the Grand Duke, in constant attendance upon her Majesty during the whole period of her residence at *Carlsruhe*. Her Majesty accordingly sent a letter, written by her hand, and carried by the most respectable messenger she could select, Mr. Brougham, the brother of her attorney-general, to solicit the attendance of this nobleman. That letter, however, having proved ineffectual, she again wrote a letter to the Chamberlain, and another to the Grand Duke. Upon this second occasion, the Chamberlain professed his willingness to come, but declared, with tears in his eyes, that he had express orders to the con-

trary from the Grand Duke. And this refusal came from the very same quarter whence, by the pressure of two ministers and two ambassadors, Kress was partly compelled to come to this country. At Rastadt, the Queen wished to become the tenant of a palace; and the transaction had proceeded so far with the approbation of the Grand Duke, that this very Chamberlain had purchased furniture for it, when it was intimated to her Majesty that her residence at Rastadt might not be agreeable, and the palace was refused. Surely, therefore, the evidence of this Chamberlain would be important to show why the residence of her Majesty was not among her natural friends.

Again, it was not immaterial to give evidence of the character and conduct of Bergami while in the service of general Pino. An application was therefore early made to that officer to attend; he in consequence consulted his government, and received an intimation that if he came to England it must not be in his uniform. He inquired whether, under this strange precaution, a threat of depriving him of his commission might not, by some mental reservation, be conveyed—received no explanation, and had therefore refused to come to England. There were other persons, physicians, lawyers, &c. restrained from coming by similar apprehensions of the displeasure of the Austrian government. Mr. Williams then went through other parts of the evidence which had been previously analysed by Mr. Brougham, and argued at great length, and with peculiar energy, upon the

alleged cohabitation on board the polacre—a part of the case to which her Majesty's Attorney-general had made no allusion:—“The sleeping together under the tent,” he said, “which had not indeed been proved, but which would probably be proved by the Queen's witnesses, had been much relied on; but he was prepared to show that that tent was within half a yard of the steersman, who was constantly at the spot. Why was not he called on the other side? He must have heard those noises to which Majocchi had deposed. The crew were habitually passing this tent by day and by night. An officer, who had charge of the vessel, was constantly in the habit of receiving orders from the Queen, at least of having questions put to him respecting the progress of the vessel, and the state of the weather; and he, upon these occasions, without any fear or apprehension, and without any notice or warning, used to take up a portion of the tent, and communicate to her Majesty the state of the weather and the ship's progress, when the Queen was not in bed, but reposing under the awning with her clothes on. “I believe,” added Mr. Williams, “we shall prove that the communication between the deck (the part covered by the awning), was constantly open. That there were several nights during the voyage in which Bergami did not repose under that tent; but that the Queen, in no instance, no where, wherever she went—particularly after some untoward accident that happened in Italy, and some attempts that were made of surprising her, according to the best

of her judgment by some person, no matter whom—ever reposed without some person being there to guard and protect her.

“But, my lords,” said Mr. Williams, “I fancy the evidence will show, that when her Majesty was naked and in bed, that person was at the door, or in an adjoining room; but under the same tent, or in the same room, when the Queen was completely dressed, and reposing in her clothes.” Mr. Williams proceeded with his examination of the other points of the evidence for the Bill, and concluded as follows:—“My lords, what are we now doing? I do not say, casting a legislative measure of doubtful import; I do not say, bringing forward a measure which may be injurious possibly, and greatly injurious, but which also may be greatly advantageous, and for which therefore some perils should be encountered; but casting—I will call it nothing else,—a lighted and burning firebrand, of no other than an antimonarchical tendency, into a magazine, as it is described, by continual lamentation and complaint, ripe for combustion and explosion of itself. My lords, is this to be carried on and to pass through every stage; is this demoralising and dethroning investigation to be pushed to the utmost extent, and that too upon such evidence as has been adduced at your lordships bar? My lords, it is not for me to answer these questions. I will push the subject no farther.

“My lords, that your lordships may assuage heats, remove animosities, and possibly peradventure by great good fortune, even yet maintain the tranquillity and peace of this empire, is the *second*

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wish that animates my heart. The *first* is, since hazards are incurred and consequences have been neglected, that at whatever hazards, at whatever consequences, the cause of substantial justice may triumph.”

[Counsel having withdrawn],

Earl Grey proposed that the House should immediately proceed to investigate the obstructions which had been opposed to the fair course of justice in the cases of the Chamberlain of the Grand Duke of Baden and General Pino; and to that end he suggested that the Queen’s counsel should be directed to produce their witnesses to those facts before entering upon any other part of their case.

The Earl of *Liverpool* concurred in the proposition. He took the opportunity of explaining that the British government had offered every facility to the Queen’s counsel to bring forward witnesses for the defence—that they had not been applied to in the particular instances—that the cause assigned for the absence of General Pino, which he believed was not the true one, was a general order throughout the whole Austrian army, that no officer should wear his uniform in a foreign country, except on service.

The Duke of *Wellington* vouched for the universality of the rule from his own experience of the Austrian service.

Earl Grey’s suggestion was adopted.

Counsel were then called in; and the wish of the House that witnesses should, in the first place, be called as to the circumstances which appeared to occasion the absence of the Grand Duke of Baden’s Chamberlain, and Ge-

neral Pino, was communicated to them.

Mr. *Brougham* admitted that he had not applied to the British Government for its interposition, and declared that he was not prepared to call his witnesses in the order proposed.

Earl *Grey* thought that the fact admitted by Mr. *Brougham* exonerated the government, and rendered his proposition superfluous.

Counsel were ordered to proceed.

James Leman was sworn.

Is clerk to Mr. *Vizard*. On the 17th of September, by order of the Queen's solicitor, applied to the baron D'Ende, chamberlain of the Grand Duke of Baden, on the road between Carlsruhe and Baden, to come to England as a witness on behalf of her Majesty. Took the baron's deposition from his minutes for the instruction of counsel on the 20th, at Baden. The Grand Duke was absent at the time. On the 23rd, the baron told witness that he "had bad news for him, as the Grand Duke would not let him go." Adding that, "though he enjoyed his Hanoverian Estates through the King of Great Britain's kindness, that would not be a difficulty in the way of his coming to this country as a witness, as he was satisfied his Majesty would not think ill of him for coming."

[Mr. *Denman* wished to examine as to the baron's statement of the particular words used in the prohibition of the grand duke, but was not permitted.]

Anthony Butler St. Leger, esq. sworn.

Was eleven years chamberlain to the Queen, namely, from 1808 to October 1819; in 1814 went with her as far as Brunswick. On account of ill health and his family, asked and obtained permission to retire from attendance upon her Majesty at that place. Has been disabled by the delicate state of his health from rejoining her since; but in the month of September, 1819, went to meet her Majesty at Dover, in consequence of a

notification from her, that she was coming to England. The following month, in consequence of continued ill health, requested the Queen's acceptance of his resignation.

The Earl of *Guildford* sworn.

In the beginning of March, 1815, arrived at Naples, in company with his sister, lady Charlotte Lindsay. The Queen was already there, attended by lady Elizabeth Forbes, the hon. Keppel Craven, sir William Gell, and Dr. Holland. Bergami was also in her Majesty's service as a courier. Left lady Charlotte Lindsay at Naples, and met the Queen again at Rome; dined with the Queen at Naples; there was a large party, including a good many English. Witness and lady Charlotte Lindsay lived in the same house with the Queen at Civita Vecchia. Mrs. Falconet, wife of an eminent banker of Naples, was also in the house, with her daughters, one 15 years old, the other younger; all dined at the Queen's table. Embarked with the Queen on board the *Clorinde*, and disembarked with lady C. L. at Leghorn. Did not see the Queen again until November, 1815, at Como; saw her first on the Lake; dined with her upon that occasion; Bergami dined at the table; dined with her the following Sunday at Milan (by invitation); upon that occasion also Bergami dined at the table.

Cross-examined.

Bergami certainly waited at table at *Civita Vecchia*, and witness thinks he waited at table also on board the *Clorinde*. At the Villa d'Este, the countess Oldi was in attendance upon the Queen. Witness conversed very little with that lady; to the best of his recollection she spoke very intelligible good Italian, with something of a Lombard accent, but by no means remarkable. At the Villa d'Este examined the grounds—the Queen first showed him the gardens, and then lent him her donkey, upon which he rode round the grounds; had a Greek servant at the time. Cannot say whether he saw this servant in company with the Queen in the grounds, but is quite sure that he did not see them in a grotto—is equally certain that he never asserted that he saw them in such a situation, or in any particular circum-

stances. Was not a great rider at the time, and the Queen was certainly very urgent with him to ride round the grounds upon her donkey. Witness's Greek servant left him at Venice. [Previous to lady C. Lindsay's retiring from the Queen's service, witness had a correspondence with her, in which he advised his sister to resign.*]

Re-examined.

Cannot recollect within a few acres the size of the garden at Como; it was a formal Italian garden—a fair large garden.

EXAMINED BY LORDS.

By Lord Rous.—Bergami was alone in the boat with the princess, when witness first saw her on the Lake.

By Earl Grey.—Certainly never saw any improper familiarity between the Queen and Bergami. The manners of the countess Oldi were perfectly inoffensive; there was nothing remarkable about them; they were very modest, not particularly vulgar. The impression upon witness's mind was not that of having conversed with a vulgar woman. The countess Oldi did not strike as being a woman of very fascinating manners, or very refined, but he did not perceive any great difference between her and other Italian ladies.

By the Earl of Liverpool.—At Como, did not know with certainty, that the countess was Bergami's sister; thinks he had heard it—had certainly heard it before he dined at Milan.

By the Earl of Lauderdale.—Both at Como and at Milan the Queen sat at dinner between witness and Bergami; Bergami received no particular attentions from the Queen, who was exceedingly gracious to witness. The countess Oldi, on both occasions, sat at the other side of witness, as he believes. Lieutenant Hownam, Austin, and an Italian gentleman, were also at table.

By Lord Kenyon.—The boat in which the Queen and Bergami were, was a small one; Bergami rowed it; it was at no great distance from the shore.

By Earl Bathurst.—The Queen introduced Bergami—"Voici Monsieur Bergami."

* At Mr. Brougham's suggestion, this answer was struck out of the Minutes.

By the Earl of Darlington.—Bergami's conduct was nothing particular—highly respectful to the Queen.

By the Earl of Belmore.—[Lady C. Lindsay left the Queen's service voluntarily. Witness advised her to do so.*]

By Lord Ellenborough.—Bergami's manners were perfectly unobtrusive; he was not in the least forward; remembers no particular conversation with him. Witness could not, from the opportunities he had of observing Bergami, form any opinion of his being superior to the situation in which he had formerly lived.

Lord Glenbervie sworn.

In the year 1815 was at Genoa; lady Glenbervie attended upon the Queen provisionally, until the arrival of lady Charlotte Campbell; it was in the months of March (from the 26th), April, and May (till the 17th); during that time witness dined frequently (twice or thrice a week) with the Queen; Bergami waited behind her Majesty's back in the habit of a courier. Witness often sat next to the Queen, and her conduct, as witness observed it, was strictly that of a mistress to her servant. Bergami's conduct had nothing particular in it. [Witness enumerated the Queen's suite.] The marchese John Carlo Negri, some other Genoese noblemen, and several English gentlemen, used to be at the Queen's parties; lady Wm. Bentinck, and, in a word, all the persons of rank in the place attended her Majesty's balls and dinner parties. [The cross-examination was unimportant.]

Lady Charlotte Lindsay sworn.

Entered the Queen's service in the year 1808. Went with her Majesty as far as Brunswick in 1818, as lady of the bed-chamber; returned from that city conformably to a previous arrangement; joined the Queen again, as lady of the bed-chamber, at Naples, in March, 1815; accompanied her from Naples to Rome, and from Rome to Civita Vecchia, and thence on-board the *Clorinde* to Leghorn, where witness again left her Majesty, agreeably to a previous arrangement. At Naples, the Queen was visited by lord and lady Landaff, lord and lady Gage, lord and lady

* Struck out.

Conyngham, lord and lady Holland, and various others; lord Clare, lord Granville Somerset, lord Frederick Montague, lord and lady Oxford, and many young Englishmen; Mr. Fazakerley, Mr. Davenport, Mr. Wm. Bankes, sir Humphrey and lady Davy, and many others. On board the *Clorinde*, the Queen was accommodated with but half the cabin, the other half being partitioned off for the captain and his brother. Her Majesty, who conceived herself entitled to the whole cabin, was displeased at this arrangement, but made no formal complaint upon the subject. Remembers Bergami in the capacity of a courier; had frequent opportunities of observing the Queen's conduct towards that person, and his conduct towards her; it was just in the ordinary course, as a mistress would act to a servant, and a servant to a mistress; never saw any thing improper; left the Queen's service in 1817, in consequence of her brother (the earl of Guildford's) advice.

Cross-examined.

The Queen used to walk with witness at Civita Vecchia; frequently they were attended by Bergami, who walked at a little distance behind. Thinks that Hieronymus was also in attendance as courier; but does not recollect whether he ever walked out with the Queen. Does not think she (witness) walked out more than twice with the Queen; but cannot positively swear that she did not walk out three or four times; can swear that she did not walk out six times. Has no recollection of the Queen's walking arm-in-arm with Bergami; supposes that if such a thing had happened, it would have struck her. Will not swear that the Queen might not have taken his arm upon a particular occasion; that might have happened without striking witness as remarkable. Has seen Bergami in the Queen's bed-chamber at Naples; but it was when her Majesty dined there, as was her practice when she had not company. The Queen, witness, and Austin, used to dine there, and all the servants waited at table as of course. [The Solicitor-general asked whether an application had not been made to witness to join the Queen in Germany, recommended by a proposition to make her husband, colonel Lindsay, her Majesty's chamberlain.—Mr. Brougham

objected to this line of cross-examination, and the House adjourned, without deciding upon the admissibility of the question.]

FRIDAY, OCTOBER 6.

Cross-examination of Lady C. Lindsay resumed.

Travelled in the same carriage with the Queen from Naples to Rome, Bergami rode as courier; remembers Bergami coming up to the carriage-window, but not until he was called. There were provisions in the carriage, and the Queen gave him some of the provisions, and something to drink; thinks he did not come until he was called; has no distinct recollection upon the subject; but thinks he did not come without being called, because that is the more natural supposition, and nothing struck witness as particular in the transaction. Bergami drank some wine from a bottle which the Queen handed to him; he drank without a glass, and, as witness thinks, returned the bottle. Has no distinct recollection of having stated, that "it was a vast relief to her (witness's) mind after she had come to the resolution of retiring from the Queen's service." Does not remember ever to have used these words, either without or with the addition, "That no woman who had any regard for her character, could continue in the princess's service;" thinks it very improbable that she ever used these words. Can only answer, that she has no recollection of having used such words, and thinks it highly improbable that she ever did. Thinks it possible, that on quitting the princess's service, she might have said, that "if it had not been for an anxious desire, to assist a particular individual out of the savings of her salary, she would have quitted the service long before;" but does not think that this declaration could have been coupled with any expression of an ill opinion of her majesty. [Witness was pressed with considerable urgency upon this subject, but persisted in referring to the absence of recollection upon the subject, without pronouncing an absolute negative]. Thinks that any thing she might have said respecting her anxiety to assist a par-

ticular individual, must have been said subsequently to Lord Guildford's advice to her, to quit the Queen's service.

Re-examined.

The communications which she admitted on her cross-examination, as having possibly been made by her, were in fact made to her husband. (Mr. Lindsay) who has been for some years in embarrassed circumstances. Witness's salary from the princess was at one time considerably in arrear. In 1817, it would have been particularly disagreeable to witness to join the Queen, because she was then labouring under great depression of spirits, from the loss of two near relations, lord Guildford and lady Glenbervie. Witness herself never observed any improprieties in the conduct of the Queen to induce her to quit her service.

EXAMINED BY LORDS.

By the Earl of Donoughmore.—The experience which witness had of the Queen's conduct in Italy, embraced a period of 24 days, and no more; is not aware that Faustine (Bergami's sister) joined the household at Naples; rather thinks that Louis Bergami did join the suite; is quite sure that no child had been received into the family; certainly had seen no improprieties in the Queen's conduct; but the reports were of so unpleasant and degrading a nature, as to operate very powerfully upon witness's mind, in making her not wish to continue in the Queen's service.

By Lord Calthorpe.—The manners of the Queen towards all her domestics, were peculiarly affable. The manners of foreigners in general towards their servants, are much freer than those of English persons; and the Queen's familiarity with her servants did not greatly exceed that of most foreigners; the Queen spoke to Bergami as she did to Sicard, and to the other servants.

By the Earl of Lauderdale.—The earl of Guildford's advice to quit the Queen's service, was conveyed in a letter. Witness does not think that the advice had any relation to the difficulty in the way of obtaining her salary; is sure it had not. Thinks the

letter is not [Witness was requested to search for the letter.]

The Earl of *Llandaff* sworn.

Was in Italy in the year 1815, and the end of 1814; witness and lady Llandaff frequented the society of the princess of Wales at Naples; she was visited by the generality of the English, and by all the Neapolitan noblesse of course. Saw Bergami at Naples; never observed any impropriety in the Queen's conduct, from which he could hesitate to permit lady Llandaff to visit her. Met the Queen again at Venice, lodged in the same hotel with her, the *Gran Bretagna*; saw nothing improper in her conduct there. It is the ordinary practice in Italy for gentlemen to visit ladies in bed in the morning. Witness has frequently visited ladies under such circumstances.

Cross-examined.

Thinks that he has gone into the Queen's sitting room at Venice, without a formal announcement, but never into her bed-chamber.

EXAMINED BY LORDS.

By the Earl of Lauderdale.—Does not remember the name of any of the Queen's servants at Naples, except Bergami. Bergami was a very singular figure, a very strong looking man. Witness never asked who he was, but some one pointed him out, saying, there is Bergami, and his remarkable figure impressed the name upon witness's memory.

By Lord Grantly.—Saw nothing in the Queen's conduct calculated to reflect disgrace upon the country.

The Hon. *Keppell Craven* sworn.

In the year 1814 was in the Queen's service as one of her chamberlains; left her, after six months, at Naples, in conformity with an arrangement made before Witness left England. When witness set out, he designed to attend upon the Queen for two months, and no more. At Milan it became necessary to hire a courier, and witness applied to the marquis Ghisilieri, grand chamberlain of the emperor of Austria, who had been appointed by the governor, general Bellegarde, to attend upon the Queen. The marquis recommended Bergami; he said he

could recommend him very strongly, having known his family some time. Witness thinks the marquis added a hope, that Bergami might be continued in the situation, and remain as a servant out of livery, when the Queen stopped any where. The marquis said he knew Bergami's family, and wished to be of use to them all, as Bergami had served some friends of his. The Queen arrived at Naples on the eighth of November, at about half-past six; she drove to the house that had been provided for her; it was extremely inconvenient; sir William Gell and witness had very bad rooms, and they took lodgings out of the house the following day. The day after the Queen arrived, the king and queen of Naples waited upon her; she dined at court that day, and there was a concert in the evening, at which she remained until about half-past eleven. On the following night she went to the Opera; she sat in the royal box with the king and queen; the house was illuminated; the Queen remained until the conclusion of the whole performance. The Opera at Naples is always late, and on that night it began later than usual, and the performance was much protracted beyond the usual period, by a very long and tiresome ballet. Remembers a masked ball, which the Queen gave in compliment to the king of Naples; the Queen wore three dresses, one was a Turkish dress, another the dress of a Neapolitan peasant, and the third was the costume of the Genius of History, as witness was told; saw the last for a very short time; does not recollect that it was at all indecent; it might have been worn under the Turkish dress, so as to render stripping unnecessary in the change of characters. Never observed any impropriety whatever between the Queen and Bergami, from the time of his being hired at Milan, and witness's departure from Naples. Subsequently witness dined three times in company with her Majesty and Bergami; never saw any impropriety upon any of these three occasions; saw the countess of Oldi once; she is not a person of vulgar manners. Before the Queen entered Italy, witness suggested to her Majesty, that Austin's continuing to sleep in her bed-chamber, might give rise to observations. Austin at that time ap-

peared to be thirteen or fourteen years old. Very often dined in company with baron Ompteda at the Queen's table. Teodoro Majocchi must have seen him upon all these occasions, because he waited habitually at table. The marquis Ghisilieri is dead.

Cross-examined.

First dined in company with Bergami at Pesaro, and last at Rome, the day before her Majesty left that city for England. Witness once mentioned to a person at Naples, that he had seen her Majesty walking in the garden (attached to her house); that Bergami was near her at the time in the garden, and that as he (witness) knew there was a spy in Naples at the time, he thought it necessary to caution her Majesty with regard to any outward appearances that might be misconstrued, was informed of the presence of the spy at Naples by a letter from England. When witness spoke to the Queen upon this subject, she said that she had brought Bergami into the garden to speak to the workmen who were employed there. Witness saw only the Queen and Bergami; but as he saw them only by reason of their being exalted upon a terrace, it was perfectly possible that there might have been labourers in the garden whom he could not see; and, in fact, he had heard that there were labourers employed there. Never remembers Bergami (while still a courier) coming into the room where witness and sir William Gell sat, and seating himself between them; of course never made any statement of such an occurrence.

EXAMINED BY LORDS.

By Lord Erskine.—If the Queen's dress at the masked ball had been grossly indecent, witness must have observed it; saw nothing immodest in any of her three dresses.

By the Earl of Roseberry.—Understood that the advice he had given respecting the removal of W. Austin's bed, had been promptly followed. Witness gave the advice before the Queen entered Italy.

By Earl Grosvenor.—Considered the manners of Bergami as superior to those of an ordinary courier.

By Lord Ellenborough.—There was not the least impropriety in the manner in which the Queen was walking

in the garden with Bergami. Bergami's manners were not so fawning and servile as those of the generality of Italian servants; since witness has seen him in the character of a gentleman, his manners were such as became that character.

By the Earl of Liverpool.—Had no reason for giving the Queen a hint upon the subject of walking in the garden, but the letter from England apprising him that her Majesty's motions were watched; would have spoken to her exactly in the same way respecting any other servant.

By Lord Gosford.—On the journey to Naples there were always some of the men servants placed near the Queen at night, Sicard or Hieronymus as witness supposes: the gentlemen of the suite were not so placed.

By Lord Combermere.—Bergami was walking behind the Queen upon the terrace as servants usually attend their mistresses.

The Earl of Donoughmore, Earl Bathurst, the Earl of Darlington, and Lord Belmore, also examined, but the result of their examination was unimportant.

Sir William Gell sworn.

Has been one of the Queen's chamberlains since about a month before she went abroad; accompanied her to Italy in 1814. One of her Majesty's couriers was discharged at Florence, when either witness applied to the marquis Ghisliari, or the marquis himself offered to provide a successor; the person recommended by the marquis was Bergami; he spoke very highly of him in the presence of the Queen; he said that Bergami's family had fallen into distress from the French revolution; and that, as for the man himself, he would answer for his being perfectly honourable, honest, and trust-worthy; adding, that he was above the office upon which he was about to enter, and expressing a hope that if he behaved well in the family, as he had no doubt he would, he might be gradually advanced. Remembers once seeing the marquis take leave of Bergami. Bergami was about to mount his horse; the marquis, being in his uniform as chamberlain of the emperor of Austria, and bearing his key of chamberlain, took Bergami round the neck in the street, and kissed him twice before all

the people. This struck witness and his English companions as remarkable; it is, however, the common custom of the country between equals, but perhaps not otherwise. By the common custom, witness means the custom of gentlemen. The house which the Queen first occupied at Naples was not large enough for her suite. The night after her arrival, she remained with the king and queen of Naples at a concert until between half past eleven and twelve o'clock; she was exceedingly tired, and annoyed with the length of the concert, which was very long and tedious. The following evening her Majesty went to the Opera, at the theatre San Carlos, in state. She sat with the king and queen of Naples in the state-box, which was splendidly illuminated for the occasion. The performance was "Medea," and the ballet, which witness also remembers was very long; the length of time which her Majesty remained, he remembers very well, because he was very lame, and had to stand behind the Queen the whole night. It must have been twelve, or, perhaps, half past twelve, before her Majesty retired. She returned in her own carriage, in the usual manner of going and returning in state, attended by witness and the other proper officers of her suite. Remembers the garden of the Queen's house at Naples; saw workmen employed nailing up the fruit-trees to the walls. Remembers the masked-ball given by the Queen to king Joachim. Remembers the ceremony of crowning the bust of that king. The company had been taught to expect that something would be seen at the opening of a certain door; after a long time the door did open, and there appeared two Neapolitan ladies, the duchess of Civitella and the countess of Derri, and (as witness thinks), the duke of Cassarano, with a trumpet. The Queen came down with a wreath of olive or ivy (witness thinks olive), and placed it on the head of king Joachim's bust. The scene was almost momentary; the door opened so [witness marked about ten seconds of time], and closed again. The dress of her Majesty was one which is best exemplified by the Caryatis in the Townley Collection in the British Museum, or by Mr. Hope's Minerva; as to its indecency or decency, a judg-

ment may be formed from these figures, which are very much draped, in fact, completely covered. The Italian ladies, who took a part in this ceremonial, were, as witness thinks, similarly dressed; but the performance was so rapid, in fact like a flash of lightning, that he could not pretend to have observed them with accuracy. Witness remained at Naples after the Queen left it, in consequence of his sufferings from the gout. After her Majesty's return from Palestine, he met her again on the road, and proceeded with her to Rome; while her Majesty continued in that city, he remained in attendance upon her as chamberlain. During her abode at Rome, the Queen was visited by several persons of distinction, many of whom witness himself, in the course of his duty, presented. The French minister, count de Blacas, the Portuguese minister, and others. They announced themselves as ministers of the House of Bourbon. The following year witness was for about three months in attendance upon the Queen, while she resided at Rufinelli, Frascati, and the Villa Brandi. Left the Queen because she was going to the North; she had an idea of going to Como, and had invited a large party to accompany her thither, the prince of Saxe Gotha and the princess Dietrichsen among others. She afterwards found it convenient to sell the Villa at Como, and the intended party was of course laid aside. Was in attendance upon the Queen for a few days when she last passed through Rome. Mr. Dodwell (as witness thinks) applied for passports for the Queen. Witness saw the passport (the order for post-horses, which he considers as in spirit a copy of the passport); it was left at the first stage. [Witness was proceeding to give evidence as to the form in which the passport or order was drawn up, when the attorney-general objected, on the ground that the instrument itself ought to be produced, and the House allowed the objection.] Saw nothing whatever indecorous in the conduct of the Queen towards Bergami, and the conduct of the latter towards her Majesty was highly respectful and becoming; to witness he was rather too respectful, requiring to be pressed to sit down. Had three months opportunity at the Villa Brandi to observe the manners

of the countess Oldi; they were certainly not those of a low and vulgar woman. She is a very decent, rather good looking, modest lady. Has once, or perhaps oftener, dined in company with baron Ompteda at the Queen's table. Has lived, during a considerable time, in Italy; in that country, it is not at all uncommon for men servants to go into the bed-chambers of their mistresses while the ladies are in bed. Has been in the East, and witnessed the Moorish dance frequently; the same dance is performed in Spain and Portugal. Most people have seen the Spanish Bolero at the theatres; it is something like that; in one part of the exhibition, the performers run up together, sometimes in an attitude of defiance, sometimes in an amorous attitude; the same dance prevails over the South of Europe, and every body sees it without making any remarks upon it. Ladies and gentlemen may see it from Madrid to China; and it may be seen both at Rome and Naples. All the English nobility at Naples visited the court of king Joachim. The marquis of Sligo, the marquis of Conyngham, the marchioness Conyngham, lord and lady Oxford, lord and lady Holland, lord and lady Llandaff, lady Eliz. Forbes, and many others, whom witness does not remember.

Cross-examined.

Remembers having once seen the Queen walking with Bergami on the terrace of the garden at Naples; Bergami was behind her Majesty, at a distance of about five feet. Witness saw no other person in the garden but a workman, who was nailing a tree to a wall. Thinks he saw Bergami at the masquerade with the rest of the servants; the servants were employed the whole evening, handing round refreshments. Thinks he saw the Queen in a Turkish dress, but cannot speak with certainty. Went once up stairs with her in the course of the evening. Does not remember whether he attended her on her return from changing her dress. There were several Turkish costumes.

EXAMINED BY LORDS.

By Lord Erskine.—Notwithstanding the opportunities he had of observing the conduct of the Queen and Bergami towards each other, never saw

any impropriety pass between them upon any occasion.

By Lord Ellenborough.—Never saw the Queen speak to Bergami except on matters of business, although three months together in the house with them. Never saw any thing in the Queen's manners, conversation, or looks, to induce him to suspect her of an adulterous intercourse with Bergami; the conduct of Bergami towards witness was always perfectly that of a gentleman. He would have handed him down stairs with candles, but that witness explained that this attention hurried him, being lame; there was certainly nothing in Bergami's manners to make his association in the the same office disagreeable to witness. He never took more than his fair share of the duties of chamberlain.

By the Earl of Darnley.—From what witness knows of the Roman government, he is perfectly convinced the order for post-horses would not be forthcoming; this, however, is merely from private information, knowing how that order was got up.

By the Earl of Liverpool.—Believes (from report only, however), that Bergami is a married man; thinks he heard so, when that person was first hired.

By the Lord Chancellor.—On the Queen's return on the second night from the Opera at Naples, witness, who was in waiting, attended her to her chamber, and having made his bow, shut the door, and retired; believes her Majesty went to bed immediately.

By Earl Bathurst.—Is not very clear, but thinks it was in the earlier part of the Queen's residence at Naples, that he saw her walking with Bergami on the terrace.

By the Earl of Enniskillen.—It was about one o'clock in the morning when witness attended the Queen to her chamber, after the Opera, on the second night from her arrival at Naples. Under the Grecian dress which the Queen wore in the exhibition of the coronation of Murat's bust, she wore a perfectly plain dress, without a train, which came up to the neck.

By the Earl of Lauderdale.—It was about the months of July and August, 1817, that witness was with the Queen at the Villa Brandi and at Rufinelli. Louis Bergami and the countess Oldi

formed part of the Queen's household. Louis dined at her Majesty's table. Witness does not remember Faustine, or Bergami's mother, or any other person of his family, but the before-named two.

By the Earl of Roseberry.—The under-dress which witness has described, must have been intended to be worn under each of her costumes successively. Witness saw her in it so immediately before he saw her in the Grecian dress, that it was impossible she could have changed it.

By a Peer.—Bergami sat frequently though by no means uniformly, on the Queen's left hand at table; the presence or absence of company made no difference in this respect.

By Lord Falmouth.—Louis Bergami generally dined at the Queen's table; he was an equerry; he generally sat at the other [query lower] end of the table.

By the Solicitor General; through their Lordships.—The Queen wore trowsers as part of her Turkish costume. These trowsers, which are commonly used in the Levant, are very much like an ordinary petticoat, slightly sewed between the legs at the bottom.

By Mr. Williams, through their Lordships.—The terrace on which the Queen and Bergami were walking, was under the view of all the neighbouring houses.

By Lord Brownlow.—When the Queen went up from the masked-ball to change her dress, she always had a very great number of attendants; the door was constantly opening and shutting.

SATURDAY, OCTOBER 7.

Lord *Liverpool* suggested that lady C. Lindsay should be called in to explain respecting the letter alluded to at her cross-examination yesterday.

Mr. Brougham said she was not in attendance.

W. Carrington sworn.

Is valet to sir W. Gell; has been in that situation nine years; it was his first service; had previously been a midshipman; attended sir W. Gell to Naples at the end of 1814; lived there

in the Queen's house; Bergami served as courier; there was no jealousy at his coming into her service; remembers the first night of the Queen's coming to Naples; the first night Bergami slept in a small room over the steward's room (M. Sicard); Bergami slept the second night in another room; he changed because he could not stand upright in the first room; three rooms, occupied by Dr. Holland, Hieronymus, and William Austin, and a passage interposed between the Queen and Bergami; knows Majoochi; saw him at Rufinelli; heard him speak of baron Ompteda.

What did you hear him say?

Question objected to by the Attorney-general, on the ground that no foundation had been laid for it in Majoochi's cross-examination.

Dr. Lushington defended the question as tending to show that baron Ompteda had suborned the Queen's servants to betray their mistress.

On the motion of Lord *Redesdale*, counsel were ordered to withdraw. His lordship stated, that as collateral evidence the answer to the question could not be received, though perhaps it was admissible as a principal topic of defence.

Earl *Grey* was of opinion, that as such the evidence ought to be received.

Lord *Redesdale* replied, that then Majoochi was the person from whom the inquiry should be made.

The *Lord Chancellor* suggested that the evidence of Majoochi should be examined with a view to this subject.

Lord *Erskine* proposed that the search should be made by the counsel at the bar.

After a few words from Lord *Lauderdale*, counsel were again called in.

Dr. Lushington maintained that

the evidence was important and relevant, as explaining the Queen's conduct, and the necessity under which she felt herself of being always closely attended by some person in whom she could entirely confide. It was also relevant to show that Majoochi had been in the habit of familiarly speaking of baron Ompteda, of whose name he had repeatedly pretended ignorance. It was important to show that he was acquainted with the picklock plot, of which he pretended to know nothing, and to show that he had frequently spoken of baron Ompteda's plots, and threatened, if the Queen would permit him, to shoot the baron like a dog.

Mr. Brougham followed on the same side.

The *Lord Chancellor* observed, that Majoochi had professed ignorance of the cause of quarrel between Mr. Hownam and baron Ompteda, which would seem to let in the evidence proposed.

The Attorney-general contended that the question could not be put to affect Majoochi's credit, as no specific inquiry had been made of Majoochi as to a conversation with the witness Carrington. It had been decided by the highest judicial authority, that an examination to a witness's credit should be always preceded by an inquiry on cross-examination, specifying time and place.

Mr. Brougham cited the Duchess of Kingston's case, and Elizabeth Canning's case, tried at the Old Bailey, to show that the question was admissible; but he maintained that he had much stronger ground than that relied upon in those cases. He could show that Majoochi had been bodily present

at, and had related all the circumstances of Ompteda's conspiracy, of which he had sworn himself wholly ignorant. In this case the Queen's counsel being wholly uninformed of the case against her Majesty, could not be prepared with all the technical questions necessary in a cross-examination.

The Attorney General replied.

Lord *Erskine* maintained that a Court sitting to discover the truth, would not leave the truth undiscovered, in consequence of an objection such as that now offered. Majoochi might be called again. Though with reluctance he must differ even from the learned persons on the wool-sack, and declare that in his opinion the question should be put.

The *Lord Chancellor* felt how diffidently he should set up his opinion against that of his noble friend, who had had much more experience in examination *viva voce* than he ever had. He should, however, refer the question to the judges upon a full statement of the case.

Lord *Grey* felt some reluctance in suffering the question to be put to the judges, inasmuch as his mind was made up as to how he should act, whatever the answer of the judges might be. The best course was to call up Majoochi.

The Earl of *Liverpool* looking at the inconvenience of exercising the House's undoubted right of acting against the opinion of the judges, thought any other course would be preferable.

The *Lord Chancellor* thought Majoochi might be recalled, if both parties consented.

The *Attorney General* submitted that Majoochi had already been

cross-examined three times, and he therefore could not consent to a fourth, upon which the counsel for the Bill would not have an opportunity of commenting. The question was then referred to the judges.

Mr. *Brougham* proposed to save their lordships' time by bringing forward another witness. Lady C. Lindsay was again introduced. She stated that she had in vain searched for her brother's (the earl of Guildford's) letter. She was asked, could she state the grounds of lord Guildford's advice, she answered she could not distinctly remember. Being again questioned, she said it was possible that the reports of an unpleasant and degrading nature, about which she had been questioned yesterday, might have been alluded to in the letter.

Lord *Erskine* asked were those reports contradicted by her ladyship's own experience?—[We did not hear any answer to this question.]

John Whitcomb sworn.

The Earl of *Lauderdale* observed that the examination of a witness in the absence of the judges was irregular.

Lord *Holland* was of a different opinion. The judges ought not to be supposed to hear any part of the evidence, but receive and discuss every question in a purely abstract shape.

The Examination commenced.

Witness is valet to Dr. Holland; has frequently been in mademoiselle Demont's room by her invitation, no other person being present, and the door locked and bolted. [This line of examination was objected to by the Solicitor-general, and abandoned by Mr. Brougham.]—Witness remembers the situation of the Queen's and Ber-

gami's rooms at Naples. Witness described the situation precisely in the same terms as the witness Carrington, viz. that the Queen's room was at the distance of twenty yards from Bergami's, and the only communication between them was a passage, in which were the rooms of Dr. Holland, Hieronymus, and Mr. Austin. This witness then underwent a long and exceedingly pressing examination by the Solicitor-general, in the course of which he admitted that there was on the garden-side another communication between the Queen's-room and Bergami's through a small unoccupied cabinet or passage.

Lord *Erskine* intimated that he wished to ask the witness a question relative to Demont's answer, that she had laid alone every night, namely, "Whether he spent any part of any night or the whole of any night, in the room of Louisa Demont, she being in bed?"

The *Solicitor General* suggested that this question could not be put, without a violation of all the forms of law.

Lord *Erskine* contended for the admissibility of the question, citing the authority of several cases within his own professional experience.

The *Lord Chancellor* said, that the object of the cross-examination of Demont had plainly been to ascertain out of her own mouth whether she had been guilty of an immoral offence. She had denied the fact; and in his opinion, speaking both judicially and as a peer, witnesses could not be called to contradict that denial.

Examination resumed.

By Lord Erskine.—Witness slept in his own bed the whole of every night; never left his bed after he had retired to it, which was usually about twelve or one o'clock.

By the Earl of Lauderdale.—Was at Pesaro with Mr. Craven about a year ago. Bergami and Mr. Austin came from the Queen to invite Mr. Craven.

Bergami hastily pressed witness's hand, as an old acquaintance, going up stairs.

By Lord Hood.—Was frequently in Demont's bed-room, after he went to lodge out of the Queen's house at Naples. Does not remember that any person but Annette was present upon those occasions.

The learned judges returned with an unanimous decision, that the evidence of Carrington respecting a conversation with Majoochi could not be received, until that witness had been specifically cross-examined, stating the time and place of the alleged conversation, and the party with whom it was supposed to have been held.

Teodoro Majoochi was accordingly called for a fourth cross-examination, and sworn.

Denied any remembrance of having seen Carrington at *Rufinelli*. Recollected sir W. Gell's English servant at Rome; never told that servant that baron Ompteda had employed some one to get the keys of the princess at Como, in order to have false ones made from them; never said that the person so employed by baron Ompteda had confessed the affair to the police, and been discharged in consequence; never said that if the princess had not ordered him to take no notice of it, he (witness) would have killed Ompteda like a dog; never spoke of the villainy and ingratitude of Ompteda acting so, after having so long eaten and drunk at the Queen's house, nor complained that he (Ompteda) had brought suspicion on the servants; never spoke of Ompteda by name to sir W. Gell's English servant.

[Mr. Brougham wished to ask the witness as to general declarations, but was not permitted.]

William Carrington recalled.

Majoochi told witness that baron Ompteda had been on a visit to the Queen; that he had employed the postillion and the chambermaid to procure her majesty's keys, in order to have false ones made; that a person had confessed his share in this transaction, and had been discharged in conse-

quence; and added, that he (Majoochi) would, if the Queen had allowed him, have killed Ompteda like a dog. He taxed Ompteda with ingratitude for having made such an attempt, and complained that he had caused the servants of the house to be suspected. Majoochi frequently mentioned the name of Ompteda. Remembers the Queen frequently visiting sir W. Gell when indisposed, particularly at Strasburgh, when sir William lay on a sofa; at Brunswick, when he was in bed; and at Naples, when he lay on a bed on the floor.

Cross-examined.

This conversation with Majoochi occurred at Rufinelli in the court-yard; Majoochi was there preparing the Queen's carriage; witness walked there accidentally; it was in the month of July, 1817 or 1818, when sir William Gell waited upon the Queen after her voyage to Palestine; Majoochi commenced the conversation; the stable people, and several other servants, Louis Bergami among the rest, were in the yard at the time. Majoochi had before spoken to the witness upon the same subject (but not so fully) in the servants' hall, at the livery servants' table; there were eight or ten footmen, and several other servants of the household; does not exactly remember their names at present; cannot recollect any particular name at the moment, but that of Francesco, a Genoese. This was the second time of sir W. Gell seeing the Queen at Rome; there was about a year between. Witness cannot say with certainty, whether this second visit occurred in 1817 or 1818.

EXAMINED BY LORDS.

By the Marquis of Buckingham.—Has been a midshipman in the king's service; left the service in 1811; entered sir William Gell's service very soon after; understood a little Italian; the conversation with Majoochi passed in Italian, and without any interpreter; Majoochi's words were, that the servants had all made up their minds to give Ompteda a sound thrashing, and to kill him if they could. He added, that he was forbidden to do so by lieutenant Hownam, and that all the other servants were also forbidden to molest Ompteda.

By Lord Ellenborough.—Rufinelli is about four miles from Rome. [Witness minutely described the shape and situation of the house.]

By the Earl of Lauderdale.—At the time witness had the conversation with Majoochi, Louis Bergami was giving orders about the horses. Witness cannot particularize the persons present in the servants' hall, when Majoochi spoke there concerning Ompteda, as he did not dine at the livery servants' table; cannot say whether Alessandro Finetti was present; does not remember that person's name.

By the Marquis of Huntley.—Served on board the Poictiers, sir John Beresford.

By the Earl of Liverpool.—The servants in the servants' hall upon the occasion alluded to, were the same whom witness afterwards saw at the Villa Brandi; he cannot recollect any of their names.

By the Earl of Roseberry.—Can repeat in Italian the words used by Majoochi [Witness here gave a translation in popular Italian of the expression to which he had previously deposed in English.]

By the Earl of Lauderdale.—First mentioned the conversation with Majoochi to Mr. Vizard; it was some day in September, the preceding month, after witness had read the evidence of Majoochi; never mentioned it to any of the Queen's suite.

By the Earl of Harrowby.—All the other servants present must have heard Majoochi's expressions in the servants' hall.

By the Marquis of Buckingham.—Never mentioned Majoochi's expressions to sir W. Gell until after he had been with Mr. Vizard; after that, mentioned it to people in the street, and to John Whitcomb, Mr. Craven's servant. Before he went to Mr. Vizard, mentioned it at Brandenburgh-house, among the Queen's servants, to Mr. Hieronymus, Mr. Milbourn, and Mr. Cracknell. and also to Mr. de Bruhl, general Oakes's servant, and Mr. Mitchell, lord Glenbervie's servant.

By the Duke of Clarence.—Went by the same name, William Carrington, on board the Poictiers.

By Lord Colville.—Received a certificate from sir John Beresford, which he has lost; was rated as a midshipman on board the Poictiers; cannot

say how long, but supposes that he was so rated all the time he was on board that vessel. Had been in the merchant service, but never in the king's service before he entered the Poictiers.

By the Duke of Clarence.—Went with sir John Beresford on board the Poictiers; was not a mere youngster; did not go on the quarter-deck immediately, but understood that he was to be a midshipman; is not certain that he was rated at the time; but is certain that he was rated when he left the service, because he saw it in his certificate; left the navy at his own request.

John Jacob Sicard sworn.

Entered the Queen's service in February 1800; is a native of Anspach, but a naturalized Englishman; was placed in her Majesty's service as cook by the present king's orders. In the October of 1800, was promoted to the office of maitre d'hôtel, and served in that capacity until her Majesty went abroad in 1814, when he went with her to Italy. At Milan, the Queen wanting a courier, witness received orders from sir Wm. Gell to hire one, who, he (sir W.) said, would be recommended by the marquis Ghisilieri; hired Bergami in consequence of this order, and had no communication whatever with the Queen upon the subject. On the night of the Queen's arrival at Naples, the suite were extremely ill accommodated. The following day more convenient arrangements were made; for a night or two Bergami slept in an upper room (as witness collects) over the room of lady Elizabeth Forbes. He was then removed to a small cabinet, by the appointment of witness, who had no communication whatever upon the subject with the Queen. Witness's motive for placing Bergami in the cabinet was this—there was a glass door that went into the garden, which witness thought unsafe, and therefore he thought it right that a male servant should sleep there; spoke to Hieronymus of the arrangement before he carried it into effect. The Queen's manner of conversing with all her servants (without any distinction) was always uncommonly kind, almost to a fault. Witness has had frequent occasions to walk with her Majesty in the pleasure-grounds at

Blackheath. Her Majesty has taken witness's arm on steps or a rising ground, and in conversation has laid her hand upon his arm by way of enforcing such questions as—You understand what I mean? Do you not agree with me? Has walked with her half an hour at a time, or sometimes more. Witness, in concert with a Mr. Pianelli, had the management of the masked ball given to the Court of Naples; witness and Hieronymus were dressed as Turks; to the best of his recollection the Queen wore two dresses, one a Turkish dress, the other the dress of a Neapolitan peasant. Is no longer in the Queen's service; retired from her service within the last three or four months, on a pension during her Majesty's pleasure.

Cross-examined.

Witness's pension is at present 400*l.* per annum. The Queen left him at Naples in 1815. He went with the servants and baggage by sea to Genoa, and, without waiting for the Queen, embarked at Genoa for England. Of course his only opportunity of observing the Queen's conduct towards Bergami was during her Majesty's residence at Naples. The night before the Queen's arrival at Naples, she slept in a country-house of Murat's; cannot say whether William Austin slept that night in her room. At Naples, there was a public passage leading from the Queen's room to Bergami's; and, besides that, there was beyond this passage, and parallel to it, a small passage leading the whole length; does not recollect that there was a small cabinet at the end of this passage, or that the passage was capable of being inclosed so as to form a cabinet. There was a door opening from Bergami's room into that passage; believes there was also another door opening from that passage into the large passage. [At witness's request, a topographical plan of the house was exhibited to him.] The plan, witness said, was correct, except that there was another door in the passage not set down. There was a communication along this [the smaller] passage to the room of the Queen, through a room which witness pointed out. Nobody slept in this room. The rooms in which Hieronymus, Dr. Holland, and Wm. Austin slept, all communicated with the other—the public passage. No-

body slept in any room communicating with the smaller passage, but the Queen, Bergami, and (as witness understood), when Bergami was indisposed, a servant occupied the room pointed out by him. The upper servants breakfasted in the steward's room during the residence at Naples; that is to say, Bergami, witness, Hieronymus, Demont, and Barber, the servant of lady Elizabeth Forbes. Bergami breakfasted mostly in this room; but he preferred a meat breakfast, and occasionally used to go into the coffee-room. The Italians generally do not like a tea breakfast; they take their first meal later, and usually eat meat at it. Bergami rode as courier to Naples; after the Queen's arrival there, he acted as a page in the drawing-room, bringing up breakfast, &c. When witness speaks of the Queen, touching or taking his arm, he means that she did so in conversation, or for necessary said; "God forbid he should insinuate that there was any thing further than that." Witnesses's first salary from the Queen was 300*l.* a year; about three or four years ago, on the Queen's appointing him her "*homme d'affaires*," it was raised to 400*l.* a year.

Re-examined.

In the passage into which opened the rooms of the Queen, and of her suite, there was a small closet, used as a water-closet.

EXAMINED BY LORDS.

By Lord Ellenborough.—When Bergami was first hired, witness made no inquiry as to his character, because he thought the recommendation of the marquis Ghisilieri quite sufficient. Bergami's behaviour was always proper; he was not quite so chatty as the generality of Italians. Witness did not remark that Bergami's manners appeared particularly superior to those of the generality of persons in his situation. He was not too much of a gentleman to act in the situation of a courier; he never showed himself in that way; he never refused to do any thing that he was told; he behaved very properly in his situation; was civil, obliging, and attentive to his duty; and might have been more of a gentleman than the lower sort of couriers.

By the Earl of Donoughmore.—William

Austin always slept in the Queen's room on the journey to Naples. At Naples, an alteration took place. None of the Bergami family, but Bartolomeo, were retained in the Queen's service, while witness continued with her. Witness left Bergami acting as a page and valet de chambre. During twenty-one years that witness has lived in the Queen's household, he has never seen any person who had been hired as a servant admitted to her Majesty's table.

By Lord Cathcart.—The upper servants generally breakfasted at Naples at eleven or twelve. Bergami attended the Queen at breakfast at ten o'clock.

By Lord Grantham.—In arranging the rooms before the Queen's arrival at Naples, witness did not lay out a separate room for William Austin, but calculated upon his sleeping, as usual, in the Queen's room; at first W. A. did sleep in the Queen's room at Naples; but afterwards—witness cannot exactly say how soon, perhaps about a week after her arrival—the Queen said to witness, that William was too old now, and should have a room to himself.

By the Earl of Darlington.—Left the Queen at Naples on the 15th of February, 1815. Never saw any impropriety or familiarity between the Queen and Bergami.

By the Marquis of Lansdown.—Never knew that Bergami breakfasted in company with the Queen, while witness remained at Naples; such a circumstance might have occurred, but witness does not believe that it did. Never knew any other person, who usually dined in the steward's room, admitted to the Queen's table. The Queen did not dine at any regular hour, ten, eleven, twelve, or one.

By the Earl of Lauderdale.—Bergami's wages, as courier, were fixed at Milan at forty Louis-d'ors, and at Naples they were raised to fifty. Did not understand, when he left Naples, that Bergami was a married man. Knew nothing of his having a child at that time. Came to England from Naples at the Queen's suggestion, to superintend the sale of her goods, &c.; was to have returned to attend upon the Queen, with his family; had no subsequent communication, directing him to remain in England; expected to go out with his family. Was so

far prepared, that he was ready to go at a moment's warning, at any time during the three years.

By the Earl of Harrowby.—At the house at Naples, a person wishing to go from the Queen's room to Bergami's, might do so by going through a passage and a cabinet. There were three doors to Bergami's room, one opening into the garden, through the small cabinet which witness has described.

By the Earl of Rosslyn.—There were two ways by which a person might go from the Queen's room to Bergami's, the public passage and the small passage. The distance between the two rooms was about 20 or 30 yards.

By the Marquis of Buckingham.—A person passing by the public passage, must have passed by the doors of the rooms in which Dr. Holland and other members of the suite slept; by going through the smaller passage, the necessity of passing by the door of any person's room was avoided.

By Lord Calthorpe.—Had no opportunity of observing the manners of the generality of Italian couriers. Witness explained a former answer, in which he said that the manners of Bergami were superior to the "lower" class, by stating, that he meant the lower class of servants generally.

By Mr. Brougham, through their Lordships.—There were two doors to the intervening rooms in the public passage in the house at Naples. Since witness entered the Queen's service, he has observed that she is very much attached to young children.

MONDAY, OCT. 9.

Henry Holland, M. D. sworn.

Went to Naples from England with the Queen as her family physician. Remained with her during her whole residence at Naples. At that city, she received, with very few exceptions, all the English and Neapolitan nobility. Went from Naples with the Queen to Genoa. The house occupied there by her Majesty was in a very thickly inhabited suburb, at a distance of about half a mile from the city. Bergami never dined at the Queen's table at Genoa. As far as came within witness's observation, the Queen's conduct towards Bergami was that of a mistress to a servant; his conduct to her was perfectly unassuming and re-

spectful. It was at first intended that witness should remain in the Queen's service a year and half, or two years. He left her Majesty at Venice, but at his own suggestion, and with an understanding that he was to return; left some articles of his property in the Queen's house under that expectation. The following was the manner of his departure: At Milan, the Queen told him that he might, if he wished, have six weeks leave of absence, to make a tour of Switzerland. In consequence, witness suggested a wish to substitute a journey to England about his private affairs, and a short additional absence; to this the Queen assented. The Queen received all the principal nobility at Genoa. Lord and lady William Bentinck, lord Exmouth, lord Malpas, and generally all the superior officers who were attached to the army at Genoa.

Cross-examined.

Bergami met with an accident at Naples, and was confined to his bed three or four days; Majoochi was the servant who attended him. Does not know where the latter slept. Remembers nothing of a sofa in the cabinet. At Genoa there was a small garden in front of the Queen's house, and a terrace garden, with a wood behind it. Dined every day with the Queen at Genoa, but not at Naples. Was at a masked-ball at the theatre San Carlos for a short period one evening. Did not know until next morning that the Queen had been there, or in what company she went. Never stated that he observed any impropriety in the Queen's conduct. Knows a minister at York. Never stated to any person that he disapproved of the Queen's conduct towards Bergami, or of her conduct generally; is so satisfied of the negative, that he can venture to swear it. It is quite impossible for witness to recollect the fluctuations of his opinion with respect to the Queen's conduct, but recollects no change in his favourable opinion. Is satisfied that he never said that the Queen's conduct was so improper that no person who had any regard for his character could remain in her service. His duties led him very little about the Queen's person; and as far as was consistent with the discharge of his professional duties, he confined his attention to his private studies. Wit-

ness's principal opportunities of observing the Queen's conduct, were during dinner; rarely saw her Majesty except at dinner, in the course of medical attendance, and when she saw company in the evening. Bergami usually acted as waiter at table; was a fortnight at Milan before he proceeded to Venice; within that time, Louis Bergami, the child Victorine, and an aged female, whom he understood to be Bergami's mother, were introduced into the Queen's household. In two days, as witness recollects, after lady Charlotte Campbell left the Queen at Milan, the countess Oldi was introduced; witness was not aware that she was Bergami's sister; Louis Bergami wore a livery; does not know whether the countess Oldi spoke French; witness always conversed with her in Italian.

Re-examined.

The house at Genoa was in a particularly conspicuous situation; has been three or four times absent from England, within the five years that have elapsed since he left the Queen's service; these absences have, however, been for short periods; and during the last five years, witness has been a practising physician in London; has never, during that time, been questioned respecting the Queen's conduct.

EXAMINED BY LORDS.

By Lord Erskine.—Never during his whole acquaintance with the Queen, perceived any thing immodest, immoral, or improper in her conduct.

By Earl Grey.—Can decidedly answer, that he never saw any part of the Queen's conduct calculated to bring disgrace upon the country; no application was ever made to witness for information respecting the Queen's conduct.

By the Earl of Lauderdale.—Adjacent to the room where witness slept at Naples, there was a room in which Hieronymus slept; there was then a room in which Austin slept, and a passage into the dining-room; never saw Bergami in the Queen's company since he was raised to the rank of chamberlain.

By Lord Rous.—There was no dedication of witness's book of travels; has not the slightest recollection of having said that he intended to have dedicated that book to the Queen, can

only swear to the absence of recollection upon the subject. The countess of Oldi was introduced to witness by the Queen, as he recollects, without any other form than announcing her name. The Queen spoke Italian, but imperfectly, while witness remained with her; she did not explain in what manner she had become acquainted with the countess Oldi.

By the Earl of Roseberry.—The Queen most certainly did not come into Bergami's room while witness was dressing his foot; to witness's knowledge, she never entered Bergami's room during that illness.

By Lord Redesdale.—Knew that the Queen used to ride upon a jackass, in the garden at Genoa, but never himself saw her do so.

By the Earl of Liverpool.—The Queen did not announce that the countess Oldi was Bergami's sister, when she introduced her; believes that he did not know the countess Oldi's relationship to Bergami when he left the Queen at Venice, which was about eight days after the countess came into the Queen's service.

By Lord Dynevor.—In conversation with the countess Oldi, as far as witness recollects, the Queen spoke a few words of Italian, but whether the countess spoke French or not, witness does not remember.

By the Earl of Harrowby.—Does not recollect ever to have heard the countess speaking French; witness always conversed with her in Italian. The Italian of the countess seemed very much that of Lombardy, which witness has observed to be spoken by persons of fashion and education, when conversing with each other, who are, however, all capable of speaking the purer Italian; finds it difficult to say, upon recollection, whether the countess spoke the pure Italian; can only say, that he found no difficulty in conversing with her; finds it difficult to say, whether her language was easily intelligible to a person imperfectly skilled in the Italian language; had but few opportunities of conversing with her.

By the Lord Chancellor.—Bergami never dined at the Queen's table when witness dined there.

By Lord Calthorpe.—The Queen was about changing her residence at Genoa; the reason assigned in the family

(witness did not hear it from the Queen) was, that she desired a more tranquil situation; was not aware that her Majesty's house at Genoa was particularly subject to interruption of any kind. All the time that witness continued with the Queen, Bergami filled the situation of a menial servant. Never observed any thing in the Queen's conduct toward Bergami different from her usual manner towards her upper servants. Engaged in the Queen's service in August, 1815; remained in her service exactly ten months, but his salary did not cease in June, 1815.

By the Lord Chancellor.—None of the upper servants, to witness's knowledge, ever dined at the Queen's table.

By Mr. Brougham, through their Lordships.—Witness received fifteen months salary; has no pension whatever.

Charles Mills, Esq. sworn.

Usually resides at Rome; was twelve days in that city in the Summer of 1817; had the honour of the Queen's acquaintance upon that occasion; dined at the Gran d'Europa, with her Majesty almost every day, while she remained there. She was visited by persons of high rank; the baroness Ancajanni, and the duchess of Zagarella, were appointed by the government to attend upon her; she was attended by a guard of honour, and a box was prepared for her, as for other royal persons, to witness the procession of the *Corpus Domini*. Witness saw lord Killworth dining with her Majesty, and the Abbé Taylor was her constant guest. Her Majesty's parties had not commenced while she remained at the Gran d'Europa, but persons of rank came to pay her their evening visits; Bergami was at this time her Majesty's chamberlain; in that character he dined at the Queen's table; and witness never observed the smallest impropriety between them; this applies to all the occasions upon which witness has seen the Queen in company with Bergami, at any time or place. Paid his respects again to the Queen at Pesaro, in 1819; remained the evening, and supped with her Majesty, and dined with her on the following day; paid his respects to her after she became Queen at Rome; she had assumed the title, but had no ladies appointed to attend her, nor had

she any guard of honour; nevertheless, many persons of rank did themselves the honour of waiting upon her; he saw several names in her Majesty's hall-book; witness observed no difference in her Majesty's household upon the three occasions when he visited her; never saw any thing in the conduct of the Queen and Bergami towards each other, in the slightest degree derogatory to the honour of the British empire, or likely to wound the moral feelings of the country; never saw any thing in the Queen's conduct in other respects, either in public or in private, to which a just exception could be taken; never saw Bergami act towards the Queen otherwise than with the utmost respect; saw nothing of degrading familiarity.

Cross-examined.

When witness dined with the Queen, Bergami sat indifferently at all parts of the table; Bergami attended the Queen to see the procession of the *Corpus Domini*; he stood behind her in her box; besides the ladies officially in attendance upon the Queen in 1817, there were several other ladies of distinction, and many of the Roman nobility, and the cardinals who visited her Majesty; witness met the cardinal Gonsalvi going up stairs; has some difficulty in naming the other persons, because they usually came in the evening, and he retired shortly after dinner; but he can answer, from his own personal knowledge, as to the evening that he passed there; does not remember the names on that evening, except the ladies he has mentioned. When witness visited the Queen in 1819, Bergami supped with her Majesty; the other persons at supper were Vassali, the countess Oldi, William Austin, and two other members of her Majesty's establishment, with whose names witness is unacquainted; cannot say whether Louis Bergami was or was not one of these persons, because he is not quite sure that he is acquainted with his person. These he has mentioned, were the only opportunities witness had of observing the Queen's conduct.

Re-examined.

Had the honour of the Queen's acquaintance, before she left England.

EXAMINED BY LORDS.

By a Peer not ascertained.—Did not feel any objection to sitting at table with Bergami.

By Earl Grey.—Left Rome in April last, upon his own private affairs, without any view to giving evidence in this cause.

By the Earl of Liverpool.—Saw no English lady in the Queen's society at Rome; at the season when he saw her Majesty there, few English visit that city.

By the Earl of Mansfield.—The Queen applied for a passport to the English consul at Rome.

By Lord Falmouth.—Did not remark that the manners of the countess Oldi were different from those of any other Italian lady's; they were mild and unobtrusive; she spoke with an accent of Lombardy, like all other persons from that country, which witness did not consider as at all indicative of vulgarity.

By Lord Ellenborough.—Is not able to answer whether the language of the countess was grammatically correct, not being sufficiently versed in the Italian language; has not lived enough in the Milanese to say whether Lombardy has a distinct dialect, as well as a peculiar accent.

By Earl Grey.—From the witness's arrival in England, and up to the period of the present proceedings being instituted, he was never questioned as to his observation of the Queen's conduct in Italy.

Joseph Teuillé sworn.

Was formerly a colonel upon the staff of Italy, and afterwards upon that of France; is a Chevalier of the Iron Crown, and of the Legion of Honour; had a brother a general of division, to whom he was aide-de-camp; first knew Bergami, in 1800, filling the situation of *marechal de logis*,* in the first Italian regiment of hussars, which formed part of the brigade, commanded by witness's brother. The conduct of Bergami was that of an inferior officer, that has never done any thing to reproach himself with; in short the conduct of a good soldier; general Galimberti was acquainted with Bergami,

* This was incorrectly rendered quarter-master — *Vide post.*

at that time; they came from the same county; witness never saw Bergami at any of Galimberti's dinner parties, nor at his evening parties, but knows that he visited the general's house; did not see Bergami again, until he met him in 1809, on the frontiers of Spain; he was then in the household of general Pino, who commanded a division of the Italian army, and was looked upon as the person who possessed general Pino's whole confidence; witness, however, cannot affirm that he occasionally dined with that general, but he was known to possess the general's confidence, and was regarded by the whole army as an honest man (*comme un honnête homme.*)

Cross-examined.

Never heard of Bergami's being in prison at Lodi. Bergami was a courier, particularly attached to general Pino, as a person of trust or confidence. he always wore plain clothes, and never the dress of a courier; is established at Paris; on his way to London, stopped at Beauvais; met there a person named Rossi coming from Lugano; cannot say whether Rossi had any persons with him; this might be two or three months ago; had previously read of the Dover riot in the French papers; never spoke to Rossi upon the subject of that riot; came to England at the Queen's request.

EXAMINED BY LORDS.

By Lord Cathcart.—The lowest rank in the hussars, is that of a private hussar; then comes a corporal, and then a *marechal de logis*, which is not of the rank of quarter-master, but corresponds to that of an infantry serjeant in the English service. Does not know whether it was in a public or domestic capacity that Bergami acted as the courier of general Pino.

Carlo Forti examined.

Is a courier in the Queen's service; was previously a cabinet courier in the service of the viceroy of Italy; engaged to go with the Queen from Milan to Rome, because he has two brothers resident in the latter city, and the duchess of Torlonia, the wife of a banker there, is his aunt; on the journey from Milan to Rome, the Queen used as her own carriage an English landaulet, and was accompa-

nied by a *bastardella*—a covered carriage, with four seats inside; and a *caratella* or calash. The Queen's landaulet had glasses, venetian blinds, and silk curtains, which might be pulled down and confined with two strings, and drew up with a string. From Rome the Queen proceeded to Sinigaglia, travelling by night; the first night she slept on the road; at nine in the morning of the first day, she rested at Otricoli; at ten on the morning of the second day, she rested at Nocera, and at eleven the following day, she reached Sinigaglia; Sacchi or Sacchini, the courier, attended the Queen upon this journey from Milan to Loretto; he travelled on horseback; and from Loretto to Rome, he travelled a day in advance before the Queen; witness mounted on horseback, and attended her Majesty to Rome; from Rome again to Sinigaglia, Sacchi went forward two hours in the *caratella*, and witness acted as courier, always riding close to the Queen's landaulet, except that about half an hour before the end of a stage, he rode forward half a mile. Sacchi always ordered the horses in advance, and paid for them; no other courier but witness accompanied the Queen on that journey, from Loretto to Rome; Bergami, Demont, and Victorine travelled with the Queen in her landaulet to Rome, from Rome to Sinigaglia. The countess Oldi occupied the place of Demont, sitting, as she had done, between the Queen and Bergami; this was in fact the usual seat of the countess; Victorine sat most commonly upon the knees of the Queen; witness used to knock for orders at the end of a stage; for night-travelling, the carriage was arranged by fixing up the venetian blinds at the sides, and the glasses in front; the venetian blinds admitted air. Never upon any occasion saw the baron kiss the Queen; taking leave of her, he, like all the rest of the suite, used to kiss her hand with much respect. The practice is a common one in Italy; witness has kissed the hands of the vice-queen of Italy, and the empress Josephine.

Cross-examined.

Is still in the Queen's service; travelled with her to England; Bergami travelled with her Majesty as far as St. Omer's; Bergami has a wife, who resides at Milan; he has the title of Baron

della Francina; but witness has never heard that his wife has been styled the Baroness della Francina; never saw this person in the Queen's presence; she resides near the Porta Ticinese at Milan, in a neat house fit for a private individual; she has a man servant and a female, who discharges the functions of a waiting-maid. In the Queen's household, there are Louis, the brother, Bernardo Bergami, and Francisco Bergami Valolta, the cousins, and other relatives, but witness does not know them all. There is Faustina Bergami, a sister, and the countess Oldi, also a sister; countess Oldi was *dame d'honneur*, Faustina kept the linen, Louis was equerry, Bernardo was prefect of the palace, Francisco was accountant; has seen no other of the family living with the Queen, during any part of the four years he has been in the Queen's service; knows Bergami's mother; she once came to pass a few days at Caprili [Pesaro], and remained about two months, more or less; she sometimes dined with the Queen, sometimes alone; Faustina always dined in her own room; Louis dined sometimes with the Queen, and sometimes alone; Francisco dined at the servants' table; cannot say whether Faustina's husband Martini was in the Queen's service at Villa d'Este, as witness was not in the service at that place. None of the Bergami family, except Bartolomeo, accompanied the Queen to Saint Omer's; some were left at Milan, and some at Pesaro. On the journey from Milan to Rome and Sinigaglia, described on witness's direct examination, the Queen was accompanied by countess Oldi, baron Bergami, Mr. Hownam, the chevalier Vassali, Louis Bergami, Mademoiselles Brunette and Demont, and the little Victorine. [Being asked who travelled in the *caratella* from Milan to Rome? witness replied by the question, Which *caratella*? and it being explained to him that the question related to the *caratella* described by him as one of the Queen's three carriages, he stated that] William Austin and Vassali travelled in the *caratella*; Demont, Brunette, and Mr. Hownam travelled in the *bastardella*; Louis Bergami set out the day before, and travelled in a *caratella* with two seats; the Queen, the baron, the countess Oldi, and Victorine, occupied the Queen's own carriage; her Majesty

had therefore four carriages on the journey; the weather was extremely hot, and for that reason they travelled by night; the Queen's carriage went first, the bastardella second, and the caratella third; Majoochi and Ferdinando Racchi travelled on the box of the bastardella; Soliman, and Polidore were also upon the journey. The Italian words for curtain may as well mean a blind to be pulled up, as a curtain to be drawn aside [the words as explained by the interpreter, were "cortina" and "tendina;" they were described as perfectly synonymous, though differing in etymology]; Soliman went on the box; Polidore remained a day after at Rome; witness did not go on before the rest to order the horses; Sacchi did that duty; will swear a hundred thousand times, that he never left the carriages. [Being asked how he came to swear that Sacchi went forward in the caratella, witness explained, that he meant to state that] Sacchi went forward in a *caratella de posta*, a hired carriage, because every thing in Italy is called caratella; Sacchi went in the caratella, because when he went a post or two, he was unable to ride on horseback, he was all chafed; he was disabled in this way at Ancona, before the arrival at Rome, and took the caratella; the Queen remained two months at Rome, and Sacchi still continued the use of the caratella, on the journey from Rome to Sinigaglia; Sacchi had been courier in the Queen's service at most but 12 or 13 months, during the time witness was in the service; cannot say whether he acted as courier during the German excursion; while the Queen was at Rome, witness always slept in her Majesty's hotel; was not confined in prison during any part of that time; was once confined five days, in consequence of accidentally wounding a man with a pistol, in a scuffle with some postillions at Storta, about horses; was carrying a large sum of money at the time, for the banker, the duke of Torlonia, and the postillions at Storta, ill-used him; he was discharged from prison without trouble, upon the affair being explained.

Re-examined.

He was carrying fifteen thousand dollars; his purpose was to shoot one, or perhaps more of the seven postil-

lions who were attacking him with pitch forks.

EXAMINED BY LORDS.

By Lord Erskine.—During the whole time witness continued in the Queen's service, he observed nothing immodest or indecent in her Majesty's conduct towards Bergami, or in any other respect, and Bergami always spoke with much respect to her Majesty.

By the Earl of Lauderdale.—Does not know the countess of Oldi's husband.

Lieutenant *John Flinn*, Royal Navy, sworn.

Is some time settled in Sicily; saw the Queen at Messina, in November, 1815; she applied to him to accompany her in a voyage to Constantinople; a polacre was hired for the voyage, and confided to the conduct of witness, who continued to command the vessel during the whole period while she was in the Queen's service; he fitted up the cabins according to the Queen's directions, and at her Majesty's expense. At Tunis, a surgeon (since dead) was taken in, and a new arrangement of the births became necessary. Mr. Bergami's birth was changed into the dining-cabin, but in no situation in which that person's birth and the Queen's were relatively placed was it possible to see from the bed of one to that of the other. Has been sometimes called by the Queen to inform her of the state of the weather, and has of course attended her in her cabin, and a tent which she used as a cabin on the deck; Gargiulo was the captain of the vessel, but witness was considered the acting captain, and in that capacity gave (through Gargiulo) whatever orders were necessary. Gargiulo was most assuredly not called upon to attend about the Queen's apartments or her person [Witness was asked whether, "supposing the Queen to go down stairs for a necessary purpose, Gargiulo was likely to have any knowledge of such a fact." The question was objected to, as leading by the solicitor general, and withdrawn]; Gargiulo's duty was to attend to his men, and take orders from witness. The steersman stood within three or four feet of the tent in which the Queen slept on deck, during part of the voyage, and on the return from

Jaffa, witness slept over the helm, within less than five feet of the tent, and must have heard any conversation in the tent, if carried on at the elevation of voice usual between two persons; never heard any such conversation; was near enough to have heard any thing that passed in the tent; was in the habit of passing along the passage beside the tent at night; the light was removed from the tent at night, for the preservation of the ship. At Milo and Athens they had heard of pirates, and it was necessary to conceal or extinguish all the lights on board, in order to elude them; some of the pirate vessels they had seen; there was a communication by a ladder between the interior of the tent and the cabin below; the communication was always open at night; the Queen's bathing tub was too large to be placed in her Majesty's cabin; the Queen has sometimes called to witness, when he has had occasion to disturb her at night manœuvring the ship; and when he could not otherwise perfectly understand her Majesty, he has, from necessity, opened the tent; does not know where Bergami slept on the voyage from Jaffa; going out, the Queen's cabin was next to countess Oldi's, with which it communicated by a door; it had also two sky-lights, opening to the deck; never saw the Queen sitting with any person upon a gun, or upon the lap of any person, or kissing any person, except perhaps the little Victorine; never saw the slightest impropriety or indecency in her Majesty's conduct towards Bergami, or any other person; saw Bergami take leave of the Queen at Terracina; he did it in the common form, kissing her hand, as had been occasionally done by all other persons; has been sixteen years in the royal navy; has received the orders of Fidelity and of Merit from the Neapolitan government, for his services in the capture of several privateers; he has obtained permission from the British government to wear one of these orders.

Cross-examined.

Was nearly a month on the voyage from Jaffa to Syracuse. [Witness being asked whether he would take upon himself to say, that he was not two months on the voyage from Jaffa, produced a paper, with which he ap-

peared to be desirous of refreshing his memory; when the solicitor-general, who cross-examined, questioned him concerning it at great length]. The paper which he now produces, contains memoranda copied from witnesses own originals; were copied since he has been on his voyage; the originals are in Sicily; did not bring the originals, because he did not think they would be wanted; he made the copies, because he thought it consistent; thought he might want them hereafter, to remember, in case he should be asked any particular circumstance, as to where he had been, by his friends. The copies which he now holds in his hands, were made on board the ship in which he went from Messina to Syracuse; he had heard that persons had been called to England, and expected that he should be called, but was not; the copies were made on that voyage, and at that time [The cross-examination as to the duration of the voyage from Jaffa, was proceeded in, without allowing time for a reference to the memoranda, when]

Lord Erskine observed, that the witness should be allowed the use of his memoranda, or it would not be fair to tax his memory.—[After a short discussion]

The Lord Chancellor professed an opinion, that if the prisoner swore that the original memoranda were made at the time, and that what he employed was an accurate copy, it might be properly used to refresh his memory.

The witness was then examined as to this collateral point, by the Lord Chancellor.—The original memoranda were made on board the polacre with the Queen. The copies were made when he went round the island of Sicily, in witness's own vessel. He made the copies with the originals before him, without however transcribing the whole of them; they are not copies of the whole transactions on board the polacre; they are copies of some parts, as dates of departures, &c. as far as they go, he can say upon his oath, they are accurate copies.

Cross-examination resumed.

[The witness was questioned at some length upon the subject of dates, and gave, from his memoranda, answers essentially corresponding with those

of the other witnesses.] Though witness had the command of the ship, he did not use to go into the Queen's apartment at night, without being sent for; this did not occur very frequently; he cannot possibly remember the number of times; it might be as often as ten times. Under the tent there was a bed; there was also a sofa; they were more than three or four yards a-part, at the remote extremities; the Queen, as witness knows from having one night seen her, occupied the sofa; never saw Bergami in the bed; has seen him sitting on it in the day; supposes it was placed there for people to sit on; because that was the only use to which he saw it applied; does not know where Bergami slept on the voyage homeward; had never the curiosity to inquire; never saw him in bed; believes he did not sleep on the bed under the tent; his reason for this belief is, that Bergami was not in the tent one night, when witness had occasion to go into it, to speak with the Queen; it was dark, but there was light enough to see all that was in the tent from the binnacle; remembers the night of a storm, near Candia. The Queen went below, and, as witness believes, slept in Mr. Hownam's cabin; did not see her sleeping on the deck near Mr. Hownam's cabin; does not know where Bergami slept that night; did not see him on the deck near Mr. Hownam's cabin. On the outward voyage, Bergami slept in the dining-cabin; witness should rather think that the Queen's bed could not be seen from Bergami's, or *vice versa*; but he never stood in a situation to ascertain the fact.

TUESDAY, OCT. 10.

Lord Grosvenor wished to ask of the noble lord on the woolsack, whether it might not be necessary to bring in a short bill to facilitate the prosecution for perjury of any of the witnesses who should have been guilty, or should hereafter be guilty of that offence.

The Lord Chancellor thought that when counsel at the bar pledged themselves to prosecute one witness for perjury, they went far enough; and he could not but think it irregular, and extremely harsh towards the witnesses (upon whose evidence it was

impossible as yet to pronounce) to introduce this subject at the present stage of the inquiry.

Lord Grosvenor explained; *Lord Essex* followed with a few words on the same side, and the conversation dropped.

Lord Melville stated, that in consequence of some facts which had lately come to his knowledge, he had some important questions to put to the witness *Wm. Carrington*. He wished him, therefore, to be called up after the conclusion of lieutenant *Flinn's* examination.

Earl Grey suggested that it would be better to wait for the conclusion of all the witnesses for the defence, but to call back the witness before the summing up.

Lord Lauderdale was of opinion that the time of producing the witness should be left to the discretion of the noble lord who had introduced the subject.

Lord Melville wished that the witness should be called in this day, which was finally agreed to.

Lieutenant *Flinn's* cross-examination resumed.

Witness made the memoranda alluded to yesterday on ship-board; it was on board the *Lion*; witness navigated the polacre; did not direct the captain as to the place he was to go to; the captain had not the whole management of the ship; it was generally the captain gave orders to the crew; by navigating the ship witness means, directing the course by which the vessel was to sail—manœuvring the ship sails, &c.; sometimes witness gave orders, when *Gargiulo* was not on deck; sometimes when he was on deck; *Gargiulo*, however, most frequently issued such orders; witness sometimes writes in the Italian language; but most commonly in English; the account of his voyage to which he referred yesterday, was kept in Italian by witness's clerk; does not know what countryman that clerk was; the account to which he alludes was the log; it was a private memorandum kept by witness; the clerk was an Italian; said just now he did not know what he was; he meant whether an Italian or a Sicilian. The witness's former answer was read. Witness

wrote part of the log ; his part was in English.

The Solicitor General was reminding the witness of his former answer, in which he said that the log was all written in Italian, when the witness begged to retire, and fainted before he was able to withdraw from the bar [he withdrew for about 5 minutes.] The witness's answers were then read. Cross-examination resumed. The witness's clerk was also his servant ; his name was Pasquali ; he was a sailor. Having in the former part of his examination stated that this man was not servant, and now that he was his servant, witness adheres to both. The man was a sailor, one of his crew ; witness thinks that he himself wrote the greater part of this log ; part in Italian, part in English. Being reminded that he said just now that all his part was in English, he said that was when from illness he did not know what he was saying.

A paper was handed to witness, which he said commenced from December, the day the Queen arrived at Messina.

Mr. Brougham complained that the Solicitor-general held the witness's memorandum in his hand, and cross-examined him from it.

The Lord Chancellor pronounced that the course was strictly regular.

Witness being questioned, at first stated that the memoranda to which he referred, were taken by himself ; further questioned, that they were taken by Pasquali ; and finally on further cross-examination, confessed that they were written by the count Schiavini within the last few days ; and that no part of the paper was in his own hand-writing.

Here the *Solicitor General* stated, that he would ask this witness no more questions. The paper alluded to was then put in, on the motion of the Solicitor-general.

EXAMINED BY LORDS.

Lord Kingston.—The Queen's bathing tub could not go into her Majesty's cabin ; the cabin was six feet high, 10 feet long, and the doors were of the same height, and from three feet to three feet and a half wide ; witness corrected himself from two feet and a half to three feet wide ; half the tub could go in and no more ; there was a

sofa about three or four feet from the door, which would prevent more going in. The sofa was moveable, but in fact it was never moved ; the tub was nearly six feet long. The witness being asked whether the tub might not be introduced by raising it above the level of the sofa ($2\frac{1}{2}$ feet) replied in the negative, but the ground of his opinion he did not explain.

Witness made the memoranda so often alluded to at Messina where his documents were, began making them after he left Messina for another voyage. The witness then underwent a very long examination as to the cause of his ignorance of Bergami's sleeping place on the voyage homeward from Jaffa.

By the Earl of Donoughmore.—Is of opinion that, except the operation of the ship required it, the crew would as much as possible avoid intruding upon the Queen, by passing too near the tent at night. On witness's departure from Sicily, no pecuniary arrangement had been made for compensating his time and trouble ; at Tunis the Queen sent witness a sum of money, the exact amount of which he did not know, but understood it was at the rate of 200*l.* a year ; this money witness declined to accept, alleging that his services were intended to be purely disinterested ; he was informed that his refusal would offend her Majesty, so he accepted of two hundred dollars, as nearly as he can recollect ; he afterwards received more, and, to the best of his remembrance, received in the whole three several payments of two hundred dollars each ; has no salary from the Queen at present, and expects none.

By the Earl of Morton.—It was at Milo and Athens that they were made acquainted with the danger from pirates, and it was on the voyage homeward they began to put out the lights, because at Jaffa the news of the pirates was confirmed. When witness opened the tent at night, the Queen lay on her bed dressed ; the binnacle was glazed, both in the back and the front ; the light from the front glass would of course strike upon the tent, from which it would be reflected ; but it was deemed necessary to have the binnacle in some degree open in the front, for the sake of air for the light. It is usual to give air to the binnacle from the top, but when it had not

sufficient, it was supplied from other parts.

By Lord Colville.—There would have been very great danger of the light's being blown out if the binnacle had been left open in front, as he has described.

[Witness was examined at great length by other lords, as well as by lord Colville, as to the state of the binnacle, and the general result of his answers was, that this part of the vessel's furniture was defective at the time she left Sicily, and that there were not on board, the materials necessary for rendering it perfect.]

By Lord Falmouth.—The memorandum which witness produced was copied by Schiavini from another written by witness's clerk at his dictation. The copy written by witness's clerk, which served for Schiavini to transcribe, is not in existence; he destroyed it, because it was written in such bad Italian. The original was written in Italian.

By the Earl of Lauderdale.—Witness applied in the first instance to Schiavini to transcribe his memoranda; met him at the Queen's house, but witness does not reside there, nor has he been there for five or six days.

By the Marquis of Buckingham.—After the apprehensions from the pirates had been entertained, a sheet was occasionally thrown over the binnacle.

By the Duke of Clarence.—Has been nineteen years accustomed to the sea. [The duke of Clarence recurred to the subject of the binnacle, and in the course of a very long and minute technical examination, obtained an admission from witness that the resources of his own mind did not furnish any mode of curing the acknowledged defects of that article, and that he had not thought of getting it put into order at Milo, Athens, Scio, or Scala Nuova; the tent was made of Malta cotton.]

By the Earl of Balcarras.—Did not conceive himself entitled to alter the log-book of the ship; assumed the command by the Queen's order, and with the assent of Gargiulo.

William Carrington recalled, and examined by Lord Melville.

When witness denied that he had been on board any ship in the king's service before his being on board the Poictiers, he understood the question

to which he gave that answer, as referring to his being a midshipman with sir J. Beresford; witness had, in fact, been in others of his majesty's ships before the Poictiers; was on board the Railleur, the Majestic, and a brig, the name of which he does not remember, before the Poictiers; was originally pressed into the service; did not serve as a midshipman on board any of these vessels; left the navy upon his own request; had been often promised promotion, to get a gunner's warrant, on board the Majestic, but never got it. On board the Poictiers he was also promised promotion, but did not get it until towards the latter part, when he was told by sir John Beresford that he was to be on the quarter-deck; this he begged to decline, as he had not money or friends to support him in the rank of a quarter-deck officer, intimating that he would much prefer a discharge from the service. After this, witness, by some trifling attentions to sir W. Gell, who came from Lisbon in the Poictiers unprovided with a servant, gained the good will of that gentleman, and used his intervention with sir J. Beresford to obtain his discharge; did not obtain a regular discharge, but received from sir John Beresford a verbal permission to withdraw from the service, with a guarantee against any ill consequences; and upon a letter of sir John, obtained his full arrears of pay. [A letter being handed to witness, he professed his belief that it was of the hand-writing of sir W. Gell. The witness was examined by several lords, without eliciting any considerable variation from his later statements.]

Re-examined through the House.

Never was dismissed from any ship for misconduct; never was charged with misconduct or punished; never had any quarrel with any of his officers or shipmates; and, in fact, had nothing to conceal with respect to his behaviour on board any of the vessels in which he had served.

To an omitted Question put by the Queen's Counsel by favour of the House.—On the journey to Naples made William Austin's bed out of her Majesty's room more than once or twice; remembers particularly having done so at Domodosola

Joseph Robert Hownam sworn.

Is a lieutenant in the Royal Navy, of the date of 1809; is settled with his family at Rouen in France. In the month of April, 1815, joined the party of the Queen at Genoa; shortly after his arrival, there was a night alarm in the family, which awakened witness. Bergami came into his room with a candle, and, as he thinks, a sword in his hand; witness then went down, and saw the Queen and the whole family assembled in the hall. Never breakfasted with the Queen at Genoa; saw her at breakfast there, but never saw Bergami with her. In August, 1815, during the passage over Mount St. Gothard, Bergami first began dining with the Queen; he did not dine regularly at her table until some time after that. The staircase in the Casa Boromea, upon the landing-place adjacent to the Queen's room, was not a private staircase; it led up to witness's room, and several other apartments; Bergami's room at Tunis was not near that of the Queen; Bergami's was the only room up a flight of steps; there were several rooms between the Queen's apartment and that flight of steps; the Queen's room too was on the ground and Bergami's on an upper floor. The Queen did not sleep at Utica, but a place called Sabella, on the night of the day on which she visited Utica. On board the polacre, that part of the vessel occupied by Gargiulo and his crew was separated by a bulkhead from the part assigned for the Queen and her suite, so as to be quite distinct. Gargiulo had no business whatsoever in the part of the vessel occupied by the Queen and her attendants. There were two places prepared as water-closets for the women, one in the Queen's cabin, the other in the cabin of the countess Oldi; never, during the whole time witness was on board, saw Gargiulo in the part of the polacre occupied by the Queen's suite. The Queen, at her landing, slept with her attendants upon the plain of Ephesus; she lay under the shed of a *Café Turque*, a miserable house; the shed was constructed of some rude materials, whether planks or boughs witness cannot say; it was open on each side; the Queen's suite slept all round her. The party dined in a church-yard next to the coffee-house, under the portico

of an old mosque; witness is convinced they all dined together, his recollection of the fact is perfect—all the suite upon the ground, the Queen upon her travelling bed; cannot say whether any one sat with her, or where the countess Oldi sat. The Queen remained about twelve or fourteen days at Constantinople; part of that time, five or six days, she resided at the palace of the British minister, Mr. Frere. From St. Jean d'Acre, the Queen travelled to Jerusalem upon an ass, the usual mode of travelling in that country; the course of the journey was, to travel by night, and to rest during the day; before the time of rest, the Queen used to be excessively fatigued. Witness has seen the Queen fall from her ass more than once towards morning. On the outward voyage, the tent was occasionally raised on deck, but on the return the weather was excessively hot, and nine head of cattle (horses and such like), which had been taken on board at Jaffa, were noisy and troublesome below, and the tent was permanently fixed on deck; on the return from Rhodes to Syracuse, the witness having suggested to the princess that the tent obstructed the progress of the vessel, she expressed her willingness to sleep below. On the voyage outward, the princess used to sit late upon deck with a light; but at Jaffa they heard reports of the presence of Tunisian pirates in the Archipelago, and witness felt it his duty to advise the Queen to discontinue the use of the light after night-fall, upon which advice she acted so far as to put out the light at nine or ten o'clock; they had in fact seen one Tunisian vessel at Scio, and another at St. Jean d'Acre. There were four sofas on board; two were lashed together in the Queen's cabin, and two in the countess's cabin; one was afterwards removed from the countess's cabin to the tent, and the Queen slept upon it. There was a ladder from the tent to the dining-room.

WEDNESDAY, OCTOBER 11.

Lieutenant *Robert Joseph Hownam*'s examination resumed.

The communication between the cabin and deck was, as witness believes, constantly open. Witness one night, supposing that the Queen had

retired to rest, ran up and found the tent closed; the tent was single, and opened in the usual way from the outside, or inside indifferently, the entrance in fact being formed, as usual, by two pieces of cloth hanging down, which, when closed, were only drawn together; it was within four, five, or six feet of the steersman; one-half of the crew kept watch at night, and were in the frequent habit of passing and repassing by the tent. Believes that the Queen reposed upon the sofa under the tent; does not know who occupied the bed; does not know whether the Queen reposed alone, because he has not heard it; believes that the Queen never undressed during the journey from Jerusalem, because he never saw any bed-clothes upon her sofa; believes that she never undressed on the voyage homeward for the same reason. On the coast of Caramania, an accident occurred by the vessel's shipping a sea, and the Queen came hastily down, attended, as witness thinks, by Mr. Flinn and Bergami; she was at that time completely dressed, and had had no time for preparation. The Queen's bath was a large tub made under witness's inspection; he is of opinion that it could not be introduced into the Queen's cabin. Bergami once dressed himself with pillows on the voyage; it was in derision of the English consul at Jaffa, who came on board in a long Greek robe, with a gold-laced cocked hat, and a gold-headed cane, making altogether a very pompous figure. The first occasion upon which Mahomet's dance was called for, was as follows: This Arab being sick on board, the doctor wanted to give him some physic; he would not take it; the doctor abused him for his obstinacy, and afterwards Mahomet used to laugh at and ridicule the doctor by this dance. When the doctor appeared on deck, one or other of the crew used to call for the Arab, saying, Mahomet, "*Mahomet dema-dema*;" there was nothing in the least improper or indecent in this dance, more than in the Spanish Bolero, or the Negro dance. Mahomet frequently danced the same dance ashore, and without the least variation from the dance on board. The persons who went ashore at Terracina to obtain pratique were, as witness remembers, Bergami, Camera, and Teodoro Majoochi; they all kissed the Queen's

hand as they departed from the vessel; most certainly Bergami did not kiss her face. The Barona was a small country-house; the balls given there were designed merely to amuse the household; the guests were generally the farmers daughters; but the wife of the chevalier Tamasia and his daughter, the wife of professor Mocatti, and the wife of the baron Cavalletti were there also; has seen the clergyman of the place frequently at the house, but cannot say as to his being at the balls. The Queen remained for the most part in an adjoining room, and came into the dancing-room but occasionally; witness always took part in these dances; the queen usually retired for the evening before those dances were concluded; witness never saw any thing either indecent or indecorous in the conduct of the parties there. The stream called the Brescia, near the Villa d'Este, is rather a torrent than a river; it has usually little water in it, though witness has never seen it quite dry; but after rain, it runs with amazing rapidity; should not think it a place that people would choose to bathe in. At Carlsruhe the baron d'Ende, Grand Chamberlain, was specially appointed to attend upon the Queen; she usually dined and supped at court, or at the margravine's (the Grand Duke's mother); while she remained in that city, there was company invited to meet her every day but the first. At Scharnitz (the barrier town between the Austrian Tyrol and Bavaria), the Queen was stopped, the passports being in the hands of some of her suite, who had not come up; the stoppage occurred about mid-day; Bergami and captain Vassali went back to Inspruck for the passports, and did not return until two o'clock on the following morning. The Queen arrived at Trieste about noon of the 15th of April; she went to the Opera in the evening, and left Trieste at six o'clock in the evening of the following day; witness is quite positive upon this subject [he produced a letter]; the letter in his hand was written by him to the lady who afterwards became his wife, from Venice, and is dated the 18th of April; it refers to his having reached Venice on the preceding day; Venice is a good journey of twenty-four hours post from Trieste. Baron Ompteda was a constant visitor to the Queen at

Genoa; he dined with her Majesty; Teodoro Majoochi waited at table; at Milan and Como he also visited, dining at the latter place; at the Villa Villani he used to stay over night, sleeping at the Queen's house. Majoochi was all this time in her Majesty's service at the last-named place; there was a room in the Queen's house called Ompteda's room. Witness himself never conversed with Majoochi respecting Ompteda, except upon one occasion, shortly after the family had arrived at Rome from Como. In the course of the different journeys, it was very common at houses of entertainment for the Queen to be shown into rooms furnished with beds [Witness was asked, whether he had received any direction from the Queen respecting Ompteda? but the Attorney-general objected to the form of the question, and at the suggestion of the Lord Chancellor, it was put in another shape.] In consequence of a representation (witness received no direction) from the Queen, witness called Ompteda out. At Rome witness told the servants of the house not to molest him; is most positive that Majoochi was one of them. The Queen frequently visited any of her servants who was indisposed; particularly remembers that she visited Camera at Jerusalem, when it was supposed, from the severity of his indisposition, that he was ill of the plague. Every where through the whole course of her travels, except at Vienna, where Lord Stewart was minister, the Queen was received at court, and visited by persons of the first distinction; and wherever so received, her conduct was all majesty and grace. Is most positive that the Queen travelled from Rome to Sinigaglia in an English landaulet; Carlo Forti and Sacchi were the Queen's couriers at the time; cannot say which acted upon that journey; has an indistinct recollection of Sacchi's being taken ill; has formed part of the Queen's suite since April 1815; lived constantly with her from April 1815 to April 1818; during that time never saw any thing in her conduct towards Bergami, or in his conduct towards her, that was improper, indecent, or degrading to her station as Princess of Wales [In the former part of his examination, witness had negatived any knowledge of the particular indecencies charged in

the evidence of Gargiulo, Paturzo, &c.] Witness's salary from the Queen was 200*l.* per annum, which she was pleased to continue after he had ceased from active attendance upon her, and up to the present time.

Cross-examined.

Is a lieutenant in the royal navy, of the standing of May 1809; entered the service in 1803. His father had been a page to the Queen; was all his life either in her Majesty's service, or the service of the Princess Charlotte. Her Majesty interested herself very much for witness's advancement, and it was through her interference that he obtained the rank of lieutenant; cannot say in what particular capacity he joined the Queen in April 1815, but received the salary of an equerry; never had any more specific appointment. Faustina and Bergami's mother came to Genoa with the child Victorine, and lived in the Queen's house; but at that time witness never understood that they were in the family; saw them only by chance in the garden. Louis Bergami was in the house at Genoa when witness arrived; he was a page, not a footman, but an upper servant; he wore a sort of uniform rather than a livery. Bergami travelled with the Queen as courier on her journey to Mount St. Gothard; he travelled in a calash, accompanied by Hieronymus, both dressed as couriers; this was in August, 1815. At Bellinzona, Bergami dined with the Queen; there also dined with her Majesty the professor Configliac, a man who lived in the mountains, and witness. Bergami never dined afterwards with the Queen in his courier's dress; he began dining regularly with her at the Villa d'Este; dined with the Queen in his courier's dress at Lugano, subsequently to the dinner at Bellinzona, but this was on the same journey; rather thinks he dined with her Majesty in his courier's dress at the Devil's Bridge also. Witness was the only Englishman on the journey to Mount St. Gothard; has frequently before the long voyage, seen Bergami in a small canoe on the lake with the Queen; has also frequently seen her Majesty walking arm-in-arm with Bergami at the Villa d'Este, just as she was used to walk with other gentlemen, but never saw her walk arm-in-

arm with him until he began to dine regularly at her table. Does not recollect seeing her Majesty walking arm in arm with Bergami during the journey to Mount St. Gothard; did not consider her Majesty's condescension to Bergami, in admitting him to her table, in the least degrading. Never represented it to her Majesty as degrading, that Bergami should dine with her; never to his recollection desired her Majesty not to admit Bergami to her table. Is positive, is confident, is convinced, that he never represented to any one, that he had entreated the Queen not to admit Bergami to her table; has not the smallest recollection of ever having made any such representation, and, in fact, the circumstance never occurred. Has not the smallest recollection of ever having said to captain Briggs, that "On the day on which the Queen changed the condition of Bergami, from that of a servant to that of a companion, he (witness) had entreated her Majesty, and with tears in his eyes, to dissuade her from admitting Bergami to her table, but without effect." Thinks his saying so is such a circumstance as he should have recollected [Being asked, whether he had any difficulty in swearing positively, that he never made any such representation, witness replied] "It is a long time ago, some years ago; the fact is true, I never did the thing." [The cross-examination upon this point was pressed with great urgency, and the final result of it was that] witness could swear, that he did not believe he ever made the statement in question to captain Briggs; but would not swear positively that he never made such a statement to that officer. Left Bergami's mother at the Villa d'Este, when they set out on the long voyage; that person was called in the family, "Donna Livia," and "Nonna;" will not swear positively that she was called Livia before the long voyage, but is quite sure that he never addressed her "as Nonna;" frequently heard the Queen call her "Nonna." At the Villa d'Este the Queen was very much in the habit of amusing herself at games with the servants, merely to amuse William. [Being asked, was Colin Maillard one of the games played, witness replied that] there were several games, what they call the

"Petits jeux;" the same games were played at the Villa Villani, rather thinks while Mr. Burrel was there, but does not recollect the fact of that gentleman's presence; Bergami had never dined with the Queen before Mr. Burrel's departure. Witness was the only English person in the Queen's suite when Bergami began to dine at her table; Bergami and his brother Louis used to be present at the games. Has seen the Queen perform at the theatre of the Villa d'Este; does not recollect that she performed columbine to Louis Bergami's harlequin; but there were more than two hundred persons present; all the household performed on the stage together. Does not recollect whether the Queen performed columbine, the thing is not impressed upon his memory; there were two or three little pieces that evening, witness does not exactly recollect them; one of them was a dance; the Queen danced with all indiscriminately — the chevalier Tamasia, and Doctor Mocatti, &c. Another of the pieces was a Harlequinade; Louis Bergami performed the Harlequin; does not remember who was the Columbine; cannot say whether the Queen did or did not act that part. In the course of the evening the Queen acted the part of an automaton; the history was that of a man who wanted to sell an automaton, a woman, in fact, that you could wind up to any thing; it was a farce upon the person who bought it to find his mistake. Witness recollects the story, but imperfectly; it was a little story composed by the Queen herself, as he believes. The chevalier Tamasia was, as witness thinks, the seller of the automaton, and professor Mocatti the purchaser; does not think Bergami performed in this piece. Cannot recollect that the Queen played any other part in any other piece that evening. Does not remember Bergami performing the part of a sick person that evening; he performed the part of a fiddler; if this was (as suggested) at another time, witness has confounded the two performances, as he remembers them but as one; does not remember that the Queen performed the character of a milkmaid, on the same evening on which Bergami personated a fiddler; has a slight recollection of something about Bergami performing the part of a phy-

sician, but cannot charge his memory with the particulars. Believes that it was on the St. Bartholomew's day before setting out upon the long voyage that this piece was performed at the theatre; recollects some great *fête* upon which the performance took place, but cannot say that it was St. Bartholomew's day; does not think that the *fête* was celebrated in honour of Saint Bartholomew; rather thinks it was on taking possession of, and christening the Villa d'Este, which was formerly called "Il Garo," and received the name of Villa d'Este from the Queen. Cannot say whether there was or was not a *fête* upon St. Bartholomew's day. The Queen took possession of the Villa d'Este in the beginning of August, and it was about the 24th (St. Bartholomew's day) they were performing the journey to Mount Saint Gothard. Before leaving Sicily Bergami was raised to the dignity of a baron, and a knight of Malta.

At the embarkation on board the polacre, Bergami occupied the farthest aft (towards the stern) of the cabins on the starboard (right) side; the polacre was a vessel of about 260 tons, but she, like other Italian vessels, fell in (was contracted on the deck) very much; the cabin to which he alludes, was the next to the dining-room. [Witness described the arrangement of the other cabins occupied by the rest of the Queen's suite]. After visiting Utica, the Queen slept at the palace of the young prince, Sidi Mustapha, called Sabella. Sabella is about eight or nine miles from Utica, Utica about twenty-two from Tunis. The tent (as witness remembers) from the time it was first raised at Jaffa, always covered the passage between the deck and the dining-room; the tent might be about ten feet long, about four feet longer than the sofa, which was six feet long; and in width it occupied one side of the vessel, and the hatchway complete; about sixteen feet altogether: the bed under the tent stood at right angles with the sofa, at a distance of about three or four feet at the nearest point; after the accident off Caramania, the Queen came below; at first she lay upon the deck; she then went into the cabin of William, where the water came in; and lastly occupied witness's cabin, and he cut out the whole front of it to give her air. When on the

deck, she lay aft on the starboard side (as witness thinks) in a small space between the cabin and the hatchway; does not recollect where Bergami was after he saw him and Flinn handing down the Queen; has no recollection of having seen him lying down on the deck after that. Does not know where Bergami slept on the return from Jaffa; never saw him under the tent at night; has seen him, like every one else, sitting on the bed under the tent in the day-time; never saw Bergami sleeping any where on the return from Jaffa; cannot declare where he slept. More than once ascended the ladder after the tent was closed; this was about ten, or half-past ten. Only knows that the Queen was under the tent; it was dark; did not see any body; did not see the Queen; did not see Bergami any where. Does not think that there was any light in the dining-room in which Bergami slept on the outward voyage. [Being asked as follows: "You have said, that you did not know where Bergami slept. Upon your oath do you not believe that he slept under the tent?" Witness replied that] he had heard that Bergami slept under the tent, and, in fact, believed that he did sleep there; does not think that the circumstance was degrading to the Queen, because it was necessary that some person should sleep near her Majesty on deck; has heard that others slept under the tent also. On the arrival at Syracuse, the sailors had a *fête*, and witness believes that this was on Saint Bartholomew's-day; has no doubt, that it was, in fact, St. Bartholomew's-day; does not know who regaled the sailors, but supposes it was Bergami; because in Italy they celebrate the days of their patron saints, instead of their birth-days; does not remember that any other Saint's-day was similarly celebrated on board the polacre; does not recollect that the ship was illuminated. The sailors may have cried "Viva la Principessa"—"Viva il Cavaliere;" but the circumstance is not impressed upon witness's memory; does not know whether, while the ship was performing quarantine at Syracuse, the Queen walked the deck arm-in-arm with Bergami; she could not walk the deck without assistance; this was in harbour, where assistance was not necessary; seeing the Queen walk arm-in-

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arm with Bergami was so familiar, that it would not have made any impression upon the mind of witness. The Queen conferred upon Bergami, during the voyage and journey, a distinction; witness does not know whether it could be called an order; it was a thing which her Majesty had spoken of for many months before she undertook the journey, saying she would make a little recompence to those who should accompany her in her pilgrimage as a mark of distinction, a memento rather; this was called the order of Saint Caroline; Bergami was one of the knights; he was the grand master; the order of the Holy Sepulchre was also conferred upon him; witness has not the slightest idea that it was purchased for him; believes the contrary. The order of the Holy Sepulchre was also conferred upon Schiavini and Austin; it is a Catholic order. Does not know whether on the land journey to Jerusalem Bergami slept under the Queen's tent; has some difficulty in forming a belief upon the subject; dares to say he might have slept there; feels thoroughly convinced that he (witness) dined with the Queen under the porch of the old mosque at Ephesus. Thinks three or four of the farmers daughters at the Barona used to attend the Queen's balls; has no recollection of any persons of low life at those balls; did not know their rank of life; the number of the balls was four or five, or perhaps less; has no knowledge of the farmers daughters, except from having seen them at the balls. At the barrier town, between the Austrian Tyrol and Bavaria (witness does not know whether it is called Scharnitz), from which Bergami and Vassali went back for the passports, the party had great difficulty in getting on; twenty, thirty, or forty persons were employed at different parts of the road to cut through the snow; they left the town as soon as it was day in the morning; every thing had been stopped at the barrier, which was at some distance from the inn. Does not remember whether the carriages were unloaded on that night; rather thinks they were not; witness had not his own baggage. Does not exactly remember the number of carriages on the journey to Sinigaglia; thinks there were three or four; they were an English landau, an English landaulet, a little German carriage

belonging to William (a calash), and another calash made at Rome. Does not remember where they stopped on the first day of the journey; thinks they stopped the second morning at Nocera; thinks they breakfasted at Fano on the third day; thinks it was about two o'clock in the afternoon when they arrived at Sinigaglia; cannot undertake to say whether it was two or five o'clock; does not recollect having seen Sacchi at Fano, or his being ill at that town in consequence of having taken some iced lemonade; thinks the Queen travelled in the landaulet; is not certain, but she almost always travelled in that carriage; thinks she was accompanied upon that journey by Bergami and the countess Oldi; witness himself travelled, as he recollects, in company with the two chambermaids; Victorine travelled always with the Queen, after she had been upset in the carriage with witness in the Tyrol; cannot positively swear that she was not in the carriage with witness on the journey from Rome to Sinigaglia, but swears to the best of his recollection that she was not; William and Vassali travelled in William's carriage; witness travelled, as he thinks, in the English landaulet; saw Louis Bergami at Ancona on the journey from Milan to Rome; does not recollect whether he (L. B.) accompanied the Queen to Rome; does not recollect who travelled in the fourth carriage from Rome to Sinigaglia; Carlo and Sacchi were the couriers from Milan to Rome; witness does not know whether they continued to act as such on the journey from Rome to Sinigaglia. [Witness underwent a very close and persevering cross-examination upon this point, but he persisted in asserting that] he did not remember that he saw either Carlo or Sacchi acting as courier on the road from Rome to Sinigaglia; never saw Bergami's wife. Shortly after the countess Oldi came into the family, heard that she was Bergami's sister, but did not know it positively for some time; neither heard nor knew of her relationship to Bergami at the time she came into the Queen's service. Has seen Faustina's husband Martini at the Villa d'Este. Louis Bergami was admitted to the Queen's table shortly after the long voyage; never saw Faustina dine with the Queen.

Pietro, Bergami's nephew, was also in the family, and Carlini; witness does not know whether he was another nephew; cannot say whether madame Livia (Bergami's mother) ever dined with her Majesty before the long voyage; at Pesaro she and Louis dined regularly with the Queen; never saw Bergami's wife, the baroness, dine either at the Villa d'Este or at Pesaro; was three years in the Queen's service, and never saw Bergami's wife come to see her child within that time. When he first saw her Majesty at Genoa, it was not by accident, but in consequence of her command. Has been at Brandenburgh-house but twice since his arrival in England, once to make his bow on his arrival, and again on the preceding Saturday; saw Schiavini upon both occasions.

Re-examined.

Knew that L'austina was in the house at Genoa, but did not think that she belonged to the household. When witness spoke of the Queen's joining in games with the servants at the Villa d'Este, he meant the upper servants only; the page Hieronymus, the chambermaids, and any friends that might happen to be in the house. After the doctor was taken on board at Tunis, Schiavini's, and William Austin's births were changed, as well as Bergami's. Bergami's bed was removed to a place within a screen in the dining-cabin. When the Queen came down, after the accident on the coast of Caramania, witness knows that Bergami certainly did not go into witness's cabin along with her Majesty, first, because there was not room, and secondly, because he must have seen him if he did, as he had cut out the whole front of the cabin, to the height of three feet; he believed that Bergami lay under the tent on the deck; because upon the occasion of the accident, he told witness that the sea came in under the tent, which he could not have known if he had not slept under it. Bergami was dressed. [*Question*, Do you believe he was dressed every night? Objected to by the solicitor-general, and held by the House to be inadmissible.] The crew of the polacre was composed of Neapolitans, and Sicilians, of course wholly unknown to the Queen and her attendants. The Queen has frequently walked arm in arm with

witness; with Schiavini, and gentlemen who came to visit her. The knights of the order of Saint Caroline were, Bergami (grand-master), Flinn, Austin, witness, Hieronymus, and he thinks Camera; thinks doctor Mocatti was also one, in consequence of his going as far as Naples with the Queen, and his willingness to accompany her to Palestine, but for the delay of his passports from the Austrian government; does not know whether the doctor was made an actual or an honorary knight, but it was in consideration of his being appointed to accompany her Majesty, and not being able, from an obstruction from the government under which he lived. There was an English sailor on board the polacre as far as Athens; he went home from that port; witness was ordered to attend the Admiralty, to say whether he knew any thing of this man (his name was James); but except that, witness does not remember that he was ever examined by any person upon the subject of his evidence.

EXAMINED BY LORDS.

By the Earl of Roseberry.—Only one occasion, on which he saw the Queen at breakfast at Genoa, is impressed upon witness's memory; Bergami was in the room, but he appeared to be waiting; does not recollect that there was any other servant in the room. The tent under which the Queen reposed during the land journey in Palestine, was a double one, in the gallery which surrounded the inner tent, there were mattresses, from which witness concludes that some persons lay there; but has no knowledge upon the subject; the tent on board the polacre could be easily opened from the deck at night, as witness thinks; does not know whether it was fastened in the inside at night. On any of the nights on which witness went by mistake up to the tent, he did not raise his head above the combings of the hatchway—[but little above the level of the floor of the deck]; the lights were out; of course witness could not see how the tent was closed; knows only by report that other persons besides the Queen and Bergami lay under the tent; has a faint recollection, that on the journey from Rome to Sinigaglia, one of the couriers went before the Queen

would say, the circumstance being recalled to him, that he rather thought it was Sacchini, but has no distinct remembrance upon the subject.

By Earl Grey.—The attendant whom witness meant when he said that he thought it necessary for the Queen to have some attendant constantly with her in the tent, was a male attendant. The circumstances under which Bergami slept in the tent with the Queen, did not convey to witness's mind any suspicion of an improper connexion.

By the Earl of Liverpool.—Frequently saw lieutenant Flinn's cot slung on deck, but does not know how many nights he slept there. Witness has acted as the Queen's private secretary. [The Earl of Liverpool was about to question witness as to the purchase of the Barona, when Mr. Denman interposed with an objection that this line of examination might lead to improper disclosures respecting written instruments, and also to the violation of the confidence necessarily reposed in a private secretary.] Does not know whether Bergami was ever in possession of the Barona, but believes it was his; thinks the name was changed to the "Villa Bergami"

By the Marquis of Lansdowne.—Thinks the countess Oldi had a tent to herself on the land journey to Jerusalem; does not know where Victorine slept. When the Queen took Bergami's arm on the deck of the polacre, it was for the purpose of leaning; she possibly might have taken witness's arm in the same manner on board the polacre; she frequently did it at other times. Does not think that he ever saw the part of harlequin sustained in Italy, in the manner in which it is played in England.

By the Earl of Limerick.—Does not know whether there was any reason to think that any third person, male or female, ever lay under the tent on board the polacre. Will swear that he never saw Bergami kiss the Queen. Never himself represented the necessity of a person sleeping under the tent; but when it was represented to him, he could not but see that it was necessary for some person to be near her Majesty. A woman alone upon a ship's deck, he should think perfectly justified in having some person near her. The suite was not so numerous as to afford one person always on the

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watch outside of the tent. There could have been only Flinn and witness, for Schiavini had never been at sea before. A hammock might have been slung for any other person, as it had been for Flinn; but Flinn bringing his hammock on deck, had no view to any such purpose; it was merely for the enjoyment of the cool air. The English sailor (James) was not on board. A female might have attended the Queen instead of, or in conjunction with her male attendant; or there were fifty other ways, all might have slept round the tent as well as one. The officer of the watch (who was the mate of the vessel) never, as witness recollects, received any order to watch the tent especially. Witness never entertained any suspicion of the crew, or any part of them. When witness saw the thing, he looked upon it as not at all improper that Bergami should sleep under the tent, the Queen being alone on deck. As from the manner that the hatchway was open, and all the doors below, there was no mystery in it.—*Question.* "As you are a married man, would you have any objection, or conceive it improper that Mrs. Hownam should so sleep in a tent in the dark with any male person?"—*Answer.* "I trust that every man looks upon his own wife without making any comparison or exception; I never made the comparison." Cannot form an opinion upon the subject; had seen so many situations in which the Queen had been placed in the course of her travels, that he did not look upon this as improper. At Ephesus, for example, she lay under a sorry shed, in the midst of horses, mules, Jews, Turks, &c. Does not remember who it was that played columbine to Louis Bergami's harlequin; if he recollected that it was the Queen, he would state it. In the character of the Automaton, the Queen stood in a box; did not consider these amusements as in the least derogatory to the Queen's rank, knowing the pleasure she takes in that sort of entertainment.

THURSDAY, OCT. 12.

EXAMINATION BY LORDS.

Lieutenant *Hownam* examined

By Lord Kingston.—Does not know the reason why Bergami was selected to sleep in the Queen's tent in pre-

ference to any other person of her suite. Witness then repeated the names of the vessels in which he had served; they were eight in number. The witness entered the service on board the *Africaine*, captain Manby.

By Lord Darnley.—There was no mystery nor concealment in Bergami's sleeping under the tent; Bergami was a most attentive servant; thinks from the way in which the marquis Ghisliari and others treated Bergami, that he might have been preferred as the most trust-worthy of her suite, to guard the Queen's person. [Witness was asked by lord Darnley the age of Mrs. Hownam. The question was overruled as altogether irrelevant].—Believes lieutenant Flinn a man of honour; cannot form any opinion of the state of lieutenant Flinn's intellects. [The two last answers were struck out.]

By Lord De Dunstanville.—The helm was about five feet from the tent; thinks the Queen was sufficiently protected when lieut. Flinn slept on deck; a sea breaking and twenty things might have rendered assistance necessary; when witness went up the ladder at night, he had no reason to believe that the tent was closed; it was then as dark as it usually is at ten o'clock in that climate.

By Lord Grosvenor.—Thinks the Queen entertained a fear for her personal safety after the attack upon her residence at Genoa; she used to say that she thought it necessary to have somebody always near her.

By Lord Combermere.—Would not a sea-faring man have been most proper to have assisted the Queen in the event of the rolling of the ship?—I should think he would, if that had been the only purpose.

By the Marquis of Downshire.—The quarrel between witness and baron Ompteda arose from the confession of a servant; witness saw the servant upon his knees begging pardon for his crime [Witness was proceeding to state the nature of the confession, when he was stopped.] The person before whom the servant kneeled was the princess of Wales; the servant's name was Maurice Credi.

Lord Lauderdale suggested that the last two answers should be struck out of the Minutes. The proposition was opposed by lords Grey and Holland. The answers were permitted to stand.

Examination resumed.

Only knows by hearsay where Maurice Credi now resides; has heard that he is in England; has not heard with whom he lives; remembers orders given to Majoochi and the other servants not to offer any molestation to Ompteda; does not remember Majoochi to have mentioned Ompteda's name. Witness is not positive that he has not seen the Queen and Bergami walking together while the latter was a courier; does not recollect to have so seen them; does not think there was any mystery in the tent's being closed; has no reason to believe that Bergami was not in the tent when he found it closed; never thought about it; never thought whether it was necessary for a male attendant to sleep in the tent; the Queen thought so, and witness did not think otherwise; the Queen did not make any communication of her fears after the general one at Genoa; witness was not aware of any immediate danger on board the *polacre*; witness did not know of any immediate personal danger; if witness thought there was any, he should not have remained below.

By Lord Grantham.—Witness dined with the Queen at Carlsruhe, both at the Grand Duke's and the Margravine's; the dinner-hour was late; does not recollect that the Queen returned to her own lodging between the dinner and supper; cannot swear that she did not.

By Lord Darlington.—Never saw Bergami take leave of the Queen in a manner different from the other servants; thinks that she never took off her clothes when going to rest on the voyage from Jaffa; that is witness's firm belief; thinks Bergami never took off his clothes neither; never saw any bed-clothes on the second bed; thinks the Queen always changed her clothes below; never saw her change her clothes any where; saw Mahomet perform his dance before the Queen in the court-yard; does not know whether Majoochi was present, but many of the servants were present; never conceived that there was any thing improper or indecent in Mahomet's dance; once saw Mahomet's dance from the window of the Queen's room at the Villa d'Este. The Queen and witness heard a noise in the court-

yard; and, looking out, they saw Mahomet exhibiting his dance before several persons in the court-yard; there were many of the servants looking on, but witness cannot say that Majoochi was among them.

By Lord Ellenborough.—Last saw capt. Briggs about two months ago; captain Briggs declined having any conversation upon the subject of the present inquiry; they shook hands, that was all; witness went to captain Briggs to ask whether he was likely to be a witness against the Queen; captain Briggs replied, that he would give nothing but a fair and honourable testimony; has seen the Queen fall asleep in the day-time on the voyage from Jaffa, and has himself closed the tent; does not remember to have seen it closed in the day time upon any other occasion; does not remember any other person having been shut up in the day-time with the Queen; never went into the dining-room after he knew that the tent was closed; cannot make a positive assertion, but has a moral conviction, that the passage between the tent and dining-room was open every night; does not know who slept in the dining-room on the homeward voyage, but saw a bed rolled up in it in the day-time. Majoochi should have slept below in the hold with the footmen, but witness cannot say where he slept; Maurice Credi continued with the Queen from the time when witness saw him supplicating for forgiveness, which was in the beginning of November, to the end of March, or beginning of April following, when the Queen dismissed him at Nuremberg (she was on her way to Vienna); she gave him in fact as a courier to her aunt, the margravine of Bayreuth; cannot say whether the tent was ever closed in the day-time by the order of count Schiavini.

By Earl Grey.—Never saw the tent so closed in the day-time, that any part of the crew passing might not have seen who were within it.

By the Earl of Winchelsea.—Has no knowledge that the hatches were not within the tent.

By Lord Auckland.—Wrote his challenge to Ompteda himself, without dictation; it was written in English.

By the Earl of Mansfield.—All the suite were in the habit of using the

passage from the dining-room to the tent in the day-time.

By Lord Clifden.—The Queen was much fatigued by her journey and voyage; she told witness that her legs were greatly swelled with remaining upwards of forty days on deck.

By the Earl of Lauderdale.—Has read the evidence of Majoochi and Demont, and part of Sacchi's evidence; can produce his diploma as a knight of St. Caroline. Upon the subject of her Majesty's stay at Trieste, the conviction of his mind was, that it did not exceed twenty-four hours before he found the letter which he had produced; that letter of course fully confirmed that conviction. When Bergami first dined with the Queen (at Bellinzona) witness thinks that he was standing in the room, and the Queen ordered him to sit down; does not recollect where at table Bergami sat upon that occasion, or whether the Queen addressed any conversation to him; does not recollect that Bergami ever waited at table after leaving Genoa; has seen the mother, sisters, and brothers, of Bergami at table; but does not remember to have seen his cousins, and never saw his wife at all.

Question. "Recollecting that you have dined at the Queen's table with Bergami, whom you have seen serve at her Majesty's table, with Bergami's sister, and with his mother; and when you recollect farther as to your belief, that Bergami was under the tent with the Queen at night, between Jaffa and Capo d'Anza, do you persevere in swearing upon your oath, that you have seen the Queen do nothing improper, or unbecoming her station?"

Answer. "I speak for myself; I had no greater claim to sit at her Majesty's table than either of these people; I have seen people sitting at the Queen's table while their fathers were waiting at the same table; and I never saw any thing in the conduct of the Queen, knowing the way in which she treats every body, to authorize such (an ill) opinion." Witness never waited at the Queen's table; does not believe that any of his (witness's) relations ever waited at the Queen's table; recollects a person whom he understood to be Bergami's uncle, dining at the Queen's table. Doctor Mocatti is the professor of physic in the college

of Como; he is the practising physician of the place. M. Cavaletti had been an equerry to the viceroy of Italy, and was in the suite of Napoleon Buonaparte, at the battle of Waterloo; does not remember any other but Mocatti, Cavaletti, and Tamasia at the dances.—*Question*. “Do you conceive a courier, and a lieutenant in his majesty’s navy, equally entitled to sit down at the Queen’s table?”—*Answer*. “Any body that would sit down at her Majesty’s table by her command, would I believe authorize a person of higher rank than a lieutenant of the navy to sit with him.”

By the Duke of Clarence.—Believes that his (witness’s) father had been in the service of Lady Charlotte Finch, in the late King’s household. On the voyage to and from Jaffa, there was no person in the Queen’s suite familiar with the sea, but witness, Flinn, and the English sailor, who was discharged at the end of two months, at Athens. Though witness was aware of the Queen’s sleeping under the tent, from the beginning of the practice, and that none of her Majesty’s suite but himself and Flinn were used to the sea, he did not offer to afford his assistance in sleeping under the tent with her. The English sailor was discharged, in consequence of a quarrel, and fighting with the cook.

By Lord Calthorpe.—Never saw the tent closed in the day-time, but when the Queen had fallen asleep; never saw Bergami under the tent when it has been so closed; does not recollect to have ever seen Bergami in a blue mantle. The dance which Mahomet was exhibiting in the Court-yard of the Villa d’Este, was not more indecent than the Spanish Bolero in witness’s opinion; carried a message on board the *Clorinde* from the Queen to captain Pechel; it was in fact to inform him, that the Queen would keep her own table; does not recollect whether this message was coupled with any observations upon captain Pechel’s conduct towards her Majesty. The Queen treated all her servants with a great degree of kindness and affability; does not know that any one ever suggested to her Majesty any alteration in her purposed route in travelling; thinks that the Queen herself always determined upon her route.

By Earl Grosvenor.—Thinks that the

Duke and Duchess of Torlonia have dined with the Queen; was not aware, until this moment, that Carlo Forti is the Duchess’s nephew; Carlo Forti never waited at table; Bergami’s dress as courier was very handsome; it was a bottle green and gold, turned up with scarlet; it was not like a hussar’s dress; it was richly embroidered with Brandenburgs.

By Lord Balcarras.—When the vessel was in motion, the female attendants would be as helpless as the Queen herself.

By the Earl of Roseberry.—Has seen the hatches, (they were sky-lights) lying upon the deck, but upon what particular spot he is unable to say.

By the Duke of Richmond.—Does not remember where at table Bergami sat when he dined with the Queen in his courier’s dress.

By the Attorney-General, through their Lordships.—Had a Genoese servant named Francisco, who was in the Queen’s service at Rufinelli; does not know where he is now, but saw him lately in London, at Mr. Vizard’s.

Granville Sharpe, Esq. sworn.

Is in the military service of the East India Company; has lived nearly ten years in the east; has frequently seen the Moorish dance, but is not aware that it is called “Dema-dema.” It is accompanied by various unmeaning sounds, which form a kind of tune to the dancer; it is certainly not indecent. The dancer’s hands are for the most part raised above his head; has seen this dance performed at the Government-house at Calcutta, before the marquis of Hastings, the marchioness and several other ladies, and the bishop of Calcutta; it was the ordinary Moorish dance.

Cross-examined.

There are many other dances in the East Indies, but all of the same character, and varying only as to tune; has never heard of any dance at which ladies cannot be present, and believes that there is no such dance.

Santino Guggiari sworn.

Was factor at the Villa d’Este, and employed Luigi Galdini there as a mason, at the rate of two livres a-day wages; has heard that a person named Raggazoni was also employed

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there as a mason, and perhaps he knows him by sight. There were statues of Adam and Eve in the Grotto at the Villa d'Este; they stood in the first or octagon room of the Grotto; (there were two octagons); there was no cornice made in the octagon-room in which the statues stood, there was a cornice made in the other octangular-room. It was impossible that workmen employed in the octangular-room where the cornice was made, could see any thing passing in the room where the statues stood. [Witness delivered in a plan, from which the impossibility of seeing from one octangular room to the other was sufficiently manifest; the rooms appeared situated at a considerable distance from each other, and the only communication between them, consisted of two rooms, and a long series of passages, in part crooked, and with two flights of steps; and besides the part of the passage which was crooked *per se*, the whole line of communication made right angles three times; to the accuracy of this plan as a general outline, the witness made oath]. The statues of Adam and Eve were removed from the Grotto before the Queen's return from Turkey; and the workmen and scaffolding were also removed.

Cross-examined.

There were six rooms in the Grotto; there were ten or eleven steps from the room in which the statues were, to the next room. The rooms were not applied to any use further than showing a subterraneous place; there were no doors in the Grotto, only iron gratings at either end; there were pillars in the Grotto; there were in the second room after the rotunda, small round columns. Has been in England about ten or twelve days; came direct from the Villa d'Este; saw Ratti the architect there making plans, about three or four months ago; came over with 14 other witnesses; their expenses were paid by the chevalier Vassali, who conducted them. Witness never applied to any one to give testimony in this case; was examined at Milan, by the advocate Codazzi, and an Englishman named Henry. Witness and the other 14 witnesses who came over with him, received among them 50 Napoleons, of 20 francs each.

He has received nothing for himself; he asks for nothing; but if the Queen makes him a present, he will receive it; will not swear that he expects no money.

EXAMINED BY LORDS.

By Earl Grosvenor.—There were other pillars besides those which he has described; there was a pilaster before the door of the Adam and Eve room, and a pillar before the pilaster, from which a person could see the statues. [Witness, on his answer being repeated, corrected himself, and having begged to look at a plan prepared by him, shortly before he came into the House, said] he believed, that a person placed behind the pilaster, could not see the statues; the pilaster was not on the same side of the Adam and Eve room, with that room in which the cornice was made; but people might go round outside from one room to the other, for the sake of carrying materials, as the interior passages were narrow.

By the Earl of Blesington.—The fig leaves were imitations in tin painted green, and were suspended on the statues by brass wires; they remain upon the statues, since they have been removed into the Mosaic room in the Villa d'Este.

Giuseppe Giarolini sworn.

Is a master mason by trade, employed Raggazoni as a daily workman at the Villa d'Este. [This witness confirmed minutely all that the last witness had sworn, with respect to the topography of the Grotto, and the impossibility of seeing into the room in which the Adam and Eve were, from that in which the cornice was made]; knows Giuseppe Restelli; saw him lately at Milan.

FRIDAY, OCTOBER 13.

Giuseppe Giarolini's examination resumed.

Was head builder at the Villa d'Este before the Queen set out upon the long voyage; was paid regularly by the week, setting out, she contracted with witness for 75,000 livres, to be paid for certain works, in her absence; however under the orders of Ratti the architect, he executed works beyond his contract, which enlarged

his claim to 145,000 livres. Witness had a conversation with Restelli upon the means of procuring payment for this debt. [This line of examination was objected to by the solicitor-general, but it was decided by the House, that it was properly directed against the credit of Restelli, that witness having denied, that he ever made any offer of money to induce any one to become a witness in this cause]. Restelli told witness, if his account was not liquidated, to send it to him, and that he would see him paid, through certain Englishmen, who were at Milan; he told him, if he had any thing to say against the Queen (for he had been a long time in her service) to tell it to him (Restelli), and he would endeavour to see him paid.—*Question.* “At that same time, or at any other, had you any further conversation with Restelli, about what Restelli was doing as to witnesses?” [This question was objected to by the solicitor-general, and defended by the Queen’s counsel, on the double ground, that it went to contradict the testimony of Restelli, and to elicit proof of acts of his, which being traced, through his admitted agency, to the Milan Commission, would seriously affect the general merits of the prosecution, instituted, as it would seem, by those commissioners. The solicitor-general denied that Restelli could be connected as an agent with the Milan Commission, or that he had in any part of his examination disclaimed all interference with the witnesses. After a debate of some length, in which lord Erskine argued, that agency had been abundantly proved on the part of Restelli, lord Liverpool and the lord chancellor expressed an anxious wish, that every light should be thrown upon the conduct of the Milan Commissioners, and lord Carnarvon contended, with great warmth, that “the House ought not to proceed one step further with a prosecution odious in principle, and pregnant with danger to the country; if the bribery and corrupt agency imputed to Restelli were proved.” It was decided, that the question might be put.] The first time witness conversed with Restelli on this subject was, coming from the states of the Pope; another day was coming from the Custom-house of Porta Fosa; Restelli, upon the latter occa-

sion, told witness, “that he had gone into his (witness’s) country about witnesses; that he went to ask for one witness, and that witness asked for another, that other for another, and so on; then they drank together, and he asked them, whether they were willing to depose against the Queen, and whether they would go to Milan with him; then they breakfasted at the Tredate, going from Cazzone; from Tredate they went to Masoc, where they dined; when they arrived at Milan, they went all together to the inn at St. Clement’s; Restelli told the inn-keeper to give them every thing they wanted, for their victuals; then afterwards, one after another, they went before Vimercati, and the English that were there.” Restelli also told witness that he kept those persons seven days at the inn, and paid them 40 francs each; but to Ragazzoni and Brusa he paid 50 francs each; to the other, viz. Paolo Ragazzoni, Bai Rossi, and Franco Bai, he gave 40 francs each; and Ambrogio Bianchini, of Leghorn, had also received money. Restelli said, that he paid the innkeeper, and the people had this money clear.

Cross-examined.

Some of these people had 28, some 30 miles to travel to Milan. They made it a day’s journey from Cazzone to Milan; they also took a day to go back; the Grotto was, from end to end, more than 50 feet; would give the measure more accurately in *bracchi*; will not swear that it was more than twelve or fifteen *bracchi*, because he has not measured it; it was longer than from the folding doors to the throne (the extreme length of the House of Lords); has been paid nothing for coming to England, but has made his calculations about his business, and lost time with the engineer Ratti, and a doctor or advocate sent by general Pino, to make the agreement in writing. At Michaelmas people change their houses at Milan, and witness was obliged, in coming away, to put another man in his place, and another man he has sent to the country, to superintend his workmen; and, finally, witness cannot undertake any business, because he does not know how long he may be detained in England. (They have told him, however,

that it will take about two months); but whenever he is without work at this time, he must go without work for the year. Upon this calculation, they have agreed to give him 2,100 francs; besides this, his expenses are paid. Did not see general Pino upon this subject; Ratti was coming down stairs from general Pino, for he had been with him above; and he told witness, that he had said to the general, that if witness was willing to go, he would take care to indemnify him. (Witness was working for the general as his head mason). Witness understands that Vassali is to pay him; he has been paid in full by the Queen his demand of 145,000 livres; he was paid part at the end of January 1819, and part in the March or April following: when he spoke to Restelli, as he has stated, he was not paid.—*Question.* “How long after was it that you were paid?” *Answer.* “When Restelli came to me to speak about this business, I told him I had already received part of the money; I had received the money which was paid in January; and then I answered Restelli, that I hoped in a short time to be paid entirely.” The last payment was made at the end of April, or the beginning of May, 1819; besides the 2,100 francs, five or six francs a-day are to be paid to witness’s son, for the sustenance of his family, and witness also expects to be paid for the loss of his time at present, for the 2,100 francs is only for the time to come; as they have told him, that in a month and a half he may return, he has asked a gold Napoleon a-day, but they have not offered it to him. Ratti has also promised to instruct his son in the business of an architect; but witness must recompense him some way or another. Ratti took a plan of part of the Villa d’Este with witness; there were two doors to the Adam and Eve room in the Grotto at the Villa d’Este; the room was in diameter about the distance from where witness stands, to the third cross-bench (about 15 or 16 feet).

Re-examined.

Witness had thirty bricklayers, and thirty-four or thirty-five helpers employed, when he agreed to come to England; the sums which he has mentioned as compensations, are the same fixed by Ratti; there never was

any cornice made in the Adam and Eve room.

At the request of the Solicitor-general, the interpreter explained that in Italian, the word *pilaster* means any building for the purpose of support, which is not a regular column; “so,” said he, “If I were to place a pile of bricks and mortar in the centre of this House to support the roof, I would call that in Italian, a pilaster, of whatever shape and dimensions, provided it was not a column.

EXAMINED BY LORDS.

By Lord Ellenborough.—Outside the entrance of the Adam and Eve room from the road, there was a pilaster, and also a column. [Witness pointed out both, on a plan similar to that presented by Gugiari]; the conversation with respect to the debt due by the Queen was in June, July, or August, 1819; the last payment was made in April, or May, 1819. [The apparent contradiction being pointed out to witness, he explained that] the conversation in June, July, or August, was about men (probably witnesses), but the conversation respecting the debt, was in February or March; it was in the middle of March he saw Restelli at Milan, where he remained four days, and when he returned home, he went to Pesaro, and asked for the money, and the Queen paid him; did not mention to any one the conversation with Restelli, because he went away; after he got his money, he could never speak to any one of the Queen’s court.

By the Earl of Delawarr.—It appears to witness impossible, that a person standing behind the pilaster could see the figures of Adam and Eve, because the room is round, and the statues stand at the sides, but has not made the experiment.

By Earl Grosvenor.—Witness has a perfect knowledge of the Grotto, because he always went to the Grotto, even before he served the princess; the passage to the Grotto is not winding, but the walls are undulating, and if a person goes straight forward, he breaks his neck.

By Lord De Dunstanville.—The 40 or 50 francs a-piece, which Restelli told witness, he had paid certain witnesses, for remaining seven days at Milan,

was for their whole time, and not a daily payment.

By the Earl of Lauderdale.—The last payment which the Queen paid to witness, was the half of 45,000 francs; the first half had been paid in January; the 100,000 francs had been paid by Marietti, during the progress of the works in monthly payments. The Queen had ordered some ceiling to be made at the Villa d'Este; they were painted in pannels, with flowers and figures this length (witness marked about four inches).—*Question.* “Do you remember the bath room at the Villa d'Este?”

Mr. *Brougham* submitted that this question went to open a new case, and not that opened by the attorney-general; he made no objection to this course, but begged to remind their lordships, that after answering the case already brought forward, he must really ask for some delay (perhaps five or six weeks), if another public prosecutor was to stand up with a new case.

The *Lord Chancellor* said, it was quite clear that the limits imposed upon counsel were not to be permitted to restrict the right of any peer to put such question as he thought fit.

The Earl of *Lauderdale* contended, that it was quite competent for any peer to put any question respecting her Majesty's conduct, without being called a public prosecutor.

The Earl of *Darnley* remarked, that on the day before he had been interrupted by the last speaker in a course of examination, which he thought if he had been allowed to pursue, it would have operated favourably for the interest of the party accused in the present case. He had always understood it to be the duty of a judge or juror to lean to the side of mercy, and in favour of the

accused; but he could not refrain from observing, that notwithstanding what had been said by some of their lordships, of dignity and decency, of which he had heard so much, there were some to be found who appeared, instead of being impartial judges and disposed to lean to the side of mercy, to have feelings of an opposite character.

Lord *Redesdale* lamented that such expressions should be used, but he must say they applied (if at all) more to the opposite side than to his.

Lord *Holland* knew it was wrong to impute improper motives, but he must say that both sides of the House were as partial as it was possible to be. Nobody could doubt the right of any noble lord to call up any witness that could give testimony either for or against the Bill: in point of candour and substantial justice, which was their proper guide on this occasion, if any of their lordships thought that he could bring forward evidence calculated to elucidate any circumstance, either on behalf of or against the Bill, it was fitting that such circumstances should be stated to the House, and afterwards inquired into; but if a new inquiry were proposed, their lordships ought to pause, and consider whether they ought not to instruct the attorney-general to institute it, because it would be a fundamental violation of justice, that the judges, after the evidence was closed, should examine fresh evidence themselves, without allowing the parties to the Bill to enter into a cross-examination of it. He could wish his noble friend to withdraw his question altogether; but if he would not consent to do

that, then counsel should have the power of cross-examining as to it, and might ask for delay if they thought delay necessary, in order to obtain grounds for cross-examination. Now, one word, as to "public prosecutors;" who were the prosecutors except their lordships? The Bill had been brought into Parliament upon the recommendation of their committee; and the feature which rendered it so particularly hideous was this, that those who sat upon it, sat in the collective capacity of prosecutors, judges, jurors, and legislators; if it sounded harsh to the ears of any of their lordships to be told so, he could only say

"Pudet hæc opprobria nobis,
Et dici potuisse, et non potuisse re-
felli."

The Witness was recalled.

By Mr. Williams, through their Lordships.—The pilaster was at the opposite side of the Adam and Eve room, to that in which the cornice was made.

Mr. *Brougham* desired to know whether Restelli was forthcoming; he wished to call him as a witness, but he was not in his corporal possession.

The *Attorney General* submitted, that if Mr. *Brougham* wished to call Restelli as a witness, he must take the usual steps.

The counsel in support of the Bill were asked, whether Restelli was in this country, and the attorney-general replied, that he had been sent as a courier to Milan.

Mr. *Brougham*.—"Then he has been sent as a courier or agent to the Milan Commission; I therefore shall not call him."

The *Attorney General* aid, that Restelli had been sent to Milan

without his knowledge, with dispatches, under the idea that he would not be again wanted; as soon, however, as that circumstance had come to his knowledge, supposing that Restelli might be wanted, he had sent a courier to desire his immediate return. No hint had, however, been conveyed to him that Restelli was wanted. Their lordships had heard the cross-examination, and he put it to them, whether on that cross-examination, the questions which his learned friends wished to ask, could be put? At any rate, if he was his learned friend's witness, he must procure his attendance if he could.

Mr. *Brougham* said, he could not have foreseen the necessity of calling Restelli until the examination which had just concluded had taken place. The attorney-general, or his agents, must have seen when the adjournment, took place that he was laying the foundation for a second cross-examination of Restelli. Under these circumstances, if there was any one thing which the agents for the Bill ought not to have done, it was that of sending Restelli out of the country, that he might continue his operations in the service of this—this Milan commission.

The *Attorney General* said, that one reason why Restelli had been sent out was, that he had been a courier before, and had brought several of the witnesses to this country. There existed in Milan a great anxiety for the safety of these witnesses, and in order to satisfy their friends, it had been deemed advisable to send Restelli to assure them that the witnesses were safe and unhurt: he repeated, that if Mr. *Brougham*

had intended to avail himself of the evidence of Restelli, he should have taken the usual steps to secure his attendance as a witness.

Mr. *Brougham* said, he would not offer one word in reply. If the witnesses were allowed to depart out of the country pending the proceedings, there was an end of the security which their lordships thought they possessed, that no perjury should be committed at their bar with impunity. Was he, he asked, obliged, under such circumstances, to go on with his case?

Lord *Holland* said, that the facts just disclosed were of the most monstrous nature. Their lordships would recollect, that early in the present proceeding, upon an intimation that it was necessary to provide against the danger of perjury, the noble lord opposite (lord *Liverpool*) rose, and with great apparent candour, said, that it would be extremely difficult, according to the constitution of this country, to adopt any measure of compulsion to detain the witnesses in the country; but that he would do every thing in his power to secure full justice to the accused, and to protect their lordships from fraud and perjury. He had every where, from the highest to the lowest, heard, much commendation bestowed upon the noble earl for the manliness and candour of this declaration; but what now appeared to be the case? One of these men that had been dragged to their bar, and some of whom had probably been bribed; this very man who had given the most revolting and disgusting testimony, not only had withdrawn, but had actually been sent out of the country, as soon as it was known

that his testimony was to be impeached. "Gracious God!" exclaimed the noble lord, "can your lordships, I ask in the name of common sense and common feeling,—can your lordships suppose, that after such a proceeding as this, great as is the reputation of your lordships, great as is the character of this House, which I have been always most anxious to uphold by every means in my power, can you suppose that we, who are subject to human failings and infirmities, can stand in safety when exposed to the suspicion and the odium which such a proceeding must cast upon us? Here is this man, one of those regarding whom you are told that every step should be taken that could be taken by the limited authority of government (and there are some who wish that it were not so limited) to prevent them from being withdrawn from justice: here,—I say, is this very man upon whom suspicion now rests, that has been engaged in suborning witnesses for this prosecution, not merely escaping, but sent away by the very persons who produced him as a witness. If your lordships submit to be dragged through the mire in this manner; if after having solemn promises made to you, you permit them not only to be evaded, but even to be counteracted by those who made them, then are your proceedings a mockery and a jest; you will taint not only your present proceedings, but all your future measures; you will taint this branch of the legislature, and will involve your country, already reduced to great distress, from having blindly followed the counsels of these self-same men upon

other points in still greater distress, and will place its institutions in the utmost jeopardy and danger!" He therefore said, that this matter ought to be set right, or that, considering all these circumstances as forming a *prima facie* case of the existence of a conspiracy to prevent justice, they would do well to get rid of the disgust and fatigue of this odious proceeding altogether.

The Earl of *Liverpool* said, that he would repel the attack upon himself by an appeal to his past life and conduct; and he must state that the noble baron (Holland) had given a most erroneous, fallacious, and inflammatory view of the case. He was ready to admit, that the sending away of Restelli was highly blamable in the quarter that authorized it; but admitting this, he must in the first place acquit himself of all knowledge of that transaction; and, in the next place, he must assure them that it was as much unknown to the attorney and solicitor-general as to himself. [He then repeated the explanation of the motive for Restelli's mission given by the attorney-general.] The motive of the person who sent Restelli, he believed, to be good and honourable; and he had no suspicion that that person had sent Restelli abroad for the purpose of withdrawing him from justice. As soon as the circumstance of Restelli's being abroad became known to the attorney-general, he ordered a person to be sent out with orders for his immediate return; that was the plain unvarnished tale which he had to tell; and he left it for their lordships to decide whether there existed any grounds for asserting

that a conspiracy was on foot to defeat the ends of justice.

The Marquis of *Lansdown* said, he was perfectly satisfied with the explanation of the noble earl (Liverpool); it was doing but that justice to his high character, which that character deserved, to say so; but admitting this, he could not help observing that it was one of the additional evils of the present proceeding, that it places men like the noble lord upon the necessity of making such an exculpation. Having said so much, he would now call upon their lordships to consider the influence which this circumstance must have on the case of the illustrious lady who stood accused at their bar. If the bad, the wicked, the despicable agents employed under this Bill had betrayed their employers; if they had taken upon them to act without the knowledge of these employers, was it fitting that they should visit upon her Majesty the baseness of those agents? Was it fitting, that that conduct which their employers had found it necessary to come forward to disown, should be allowed to operate to the prejudice of her Majesty's cause. He entreated their lordships to consider the importance of adhering to the rule which they bound themselves to make at the outset, that all the witnesses should be forthcoming whenever it should be thought necessary to recall them. Their lordships had seen examples of the importance of this regulation in the cases of Majoochi and Carrington; what would their lordships think of the importance of having Restelli at once brought forward, and without notice confronted with

the evidence given against him this day? but when called for he was not to be found. He ridiculed the reason pretended for sending Restelli to Milan as a certificate, forsooth, of the safety of the witnesses in Cotton-garden; when he heard this, he felt that no good reason for the act which the noble earl had so candidly condemned and disavowed. It was, however, incumbent on their lordships to do all in their power to repair the error, though they could not, he feared, fully repair it; what effect it would have on their proceedings he could not venture to say.

The *Lord Chancellor* claimed no more credit than was due to him, when he said that he knew nothing of sending Restelli out of the country. He confessed that it was a most ill-timed and ill-judged proceeding; it was doubtless desirable to call Restelli to the bar; that course was now impossible, and from that impossibility great injury must result to the accused; their lordships must therefore act upon this principle, that the examination when gone into at a future day would not be so beneficial to her Majesty as at present; and when they recollected that circumstance, they must give her the benefit of it, "liberally and largely." Could they close the proceedings at that stage? No man could put his hand on his heart and say that this could be fairly done; for the sake of her Majesty they ought not to do it.

The *Earl of Carnarvon* fully agreed that there was nothing which they could do to repair the injuries they had inflicted upon the Queen in the course of this investigation. What was the only

step which they could take to do her Majesty substantial justice? It was to put an end once for all to this base and infamous proceeding. There was proof that an extensive system of subornation of perjury existed, which they were prevented from probing to the bottom; well therefore might the learned lord admit that substantial justice could not be done; the case, if indeed it could be farther disgraced, or rendered more odious, was by this last step reduced to the lowest pitch of infamy. Let their lordships consider well, that if there existed in the other House of Parliament any portion of the spirit which animated the country; if the members of that House had any concurrent feeling with the great body of their constituents, the Bill would be defeated there, should their lordships persist in passing it upon such evidence as had been adduced at their bar. He concluded by moving, "*That the Bill be read this day six months.*"

The *Lord Chancellor* denied that he had admitted that substantial justice could not be done; on the other hand, he was of opinion, that allowing *largely* and *liberally* for the circumstance, it might turn out to be extremely favourable to the Queen.

Lord Ellenborough said, that the proposal of the noble earl (*Carnarvon*), was one entirely contrary to all justice, fatal to her Majesty's character, wholly unsatisfactory to the country, and in every respect opposed to the course which their lordships ought to pursue. One question was, whether the Queen was guilty or not guilty; another was (and he

thought it was quite distinct from the former), whether on the evidence delivered at their bar, they should pass the Bill. It was possible that such a defence might be made out at the bar as to induce their lordships not to pass the Bill, although it might not be such as to induce them to consider her Majesty entirely innocent; for the cause of truth and justice, therefore, he entreated their lordships to hear the whole of the case, and not to break off in the middle of it; not to adopt a proceeding that might possibly leave on the mind of every noble lord a moral conviction of her Majesty's guilt.

The Earl of *Darnley* suggested, that the Queen's counsel should be questioned as to their conception of the extent of the injury occasioned to her Majesty by the abstraction of Restelli.

Earl *Grey* said, he felt all that had been stated with respect to the disadvantage of interrupting the defence before this witness was called; and he should, perhaps, be better satisfied if his noble friend (Carnarvon) did not persevere in his motion; but feeling that the House was placed in a most unlooked-for situation, feeling that there was no possible remedy for the act committed by the agents for the prosecution,—if he were asked on that ground whether the proceeding ought to be discontinued, her Majesty being deprived of those means of defence which ought to have been afforded to her, he should, however reluctantly, be compelled to assent to this proposition. With respect to the manifold injuries to the Queen's cause produced by the abstraction of Restelli, no man could say, that if he were

called up immediately, his evidence would not be materially different from what it would be at any future period; thus an irreparable injury would in this instance be done to the Queen but there was more injury than this. He would not say that subornation of perjury had been proved, but he would say that a strong statement had been made by the witness recently examined, which must show that the individual who had left the country, had been engaged in endeavouring to suborn other witnesses. He (Restelli) did exactly that which was likely to influence those witnesses who deposed to the story of Adam and Eve, and other circumstances of a similar nature; points which, at the moment, struck him as having been obtained in this improper manner. He was not charging a conspiracy, but if the witness who had quitted the country were examined, before any information relative to what had occurred had been afforded to him, it would render the defence of her Majesty complete and triumphant over the worst conspiracy that ever was formed, to ruin the character and destroy the honour of an individual; and if the circumstance of delay rendered it impossible, as it was admitted it did, that the examination could be pursued satisfactorily and effectually hereafter, then he contended the House was disabled from doing substantial justice; and if his noble friend persevered in his motion, it must undoubtedly receive his assent. In speaking of the abstraction of Restelli, he would not characterize the act by so mild an expression as ill-judged; it was not only ill-judged, but

most iniquitous. It was useless to talk of the character of the persons implicated; they must have been aware generally, from their professional experience and their knowledge of this case, that it was proper and expedient to keep witnesses of this sort in this country, that they might be forthcoming in case any necessity should arise for examining them more minutely; but if ever there was a witness, who, from the particular nature of his testimony in chief, as well as from the particular nature of the facts disclosed on his cross-examination; if ever there was a witness whom every person acquainted with proceedings in courts of justice must have seen the necessity of examining still farther, Restelli was that witness. Whatever their lordships might do, they were, by the forfeiture of the pledge given by government, debarred the power of doing substantial justice; and if therefore he were called upon to decide whether they should or not continue this proceeding, he would say, let it *not* be continued.

The Earl of *Liverpool* contended, that substantial justice could be done by allowing full credit to all that had been alleged against the testimony of Restelli. He had no difficulty in saying that the House owed it to the honour of the Queen, and to the honour of the country, not to shrink from the question, whether the preamble of the Bill had or had not been established, without anticipating any future questions that might arise, he thought it right to say that nothing could be more unfortunate; nothing, in his opinion, more ill-judged than to smother the guilt or innocence

of the Queen, which was the main point at issue in questions of mere policy and expediency. He wished to say one word on what had fallen from the noble earl (Grey) as to the “flagitious” (Query, “iniquitous”) conduct of the individual who had sent away Restelli. He allowed that it would have been a flagitious act had its purpose been to withdraw the witness from justice; but he (lord Liverpool) was most conscientiously convinced that the gentleman who had been the occasion of it had no such purpose, but had felt convinced that the man would have returned before the House arrived at the present stage of the proceeding.

The Earl of *Lauderdale* said, that the proposition ascribed to the lord chancellor, that the House was disabled from doing substantial justice, was too absurd to have been ever pronounced by him; and in fact the opinion delivered by that noble and learned lord was just the reverse; as he had urged that the circumstance might probably turn out advantageously to the Queen. With respect to the proposition that they should now put an end to the proceeding after the whole of the evidence for the Bill had been heard, and half the defence; it had been formerly urged, that the slightest delay between the charge and the defence was an atrocious proceeding; and it came from the same individuals who now recommended that the Queen should be permitted only to go through half the case that was to vindicate her in the eyes of the world and posterity. All men were bound to consider, not merely the interest of the Queen, but the interest of the country; and sup-

pose it were asked why the proceeding was stopped, why the Queen was permitted only to be half defended? what would all the countries of Europe, or any independent man on the face of the globe think of the answer, that this crying injustice had been done because an Italian courier had been sent to Milan? Was this circumstance to be assigned as a reason why a stain should continue upon the crown of England, which, if the opportunity were afforded, might perhaps still be shown to be pure and unsullied?

The Earl of *Morley* said, that there would not be the slightest inconsistency in proving the preamble of the Bill, and negating its enactments, which struck a blow, in his opinion, at legitimate monarchy. He thought it highly necessary to be declared, whether it was intended to affect the succession or not; their business, however, now was to ascertain the truth or falsehood of the charges; and he humbly entreated the noble earl not to press his motion to a division. He did not mean to magnify or diminish the injury done to the Queen by the absence of Restelli, but he thought that on every principle of justice, the rest of the defence should be heard.

Lord *Alvanley* said, that if the person who had sent Restelli out of the country were found to be connected with the Milan commission, he should not be easily persuaded that the act was a mere error of judgment.

The Earl of *Liverpool* said, that the person who had sent away Restelli was Mr. Powell (one of the persons engaged in the Milan

transactions, and assistant solicitor for the Bill).

The Earl of *Carnarvon* said, that as it would, perhaps, be convenient to hear the opinion of the Queen's counsel previously to taking any decisive step, *he would not press his motion to a division*, although he was convinced that the first hour the public should learn that their lordships had determined to quash this business, it would be hailed with an unanimous acclaim of joy and gratitude from one end of the country to the other.

The Earl of *Blesington* spoke in vindication of the character of Mr. Powell, and expressed much regret that that person had any thing to do with the Milan commission.

Lord *Holland* acknowledged his full conviction that the noble earl (Liverpool) was incapable of any participation in the transaction complained of; on neither side of the House did he know any man less capable of doing what was dishonourable or unbecoming; but he still felt bound to say, that on this as on other occasions the noble earl had undertaken to do more for the House than experience showed he was able to perform. Had he fairly avowed that he had no power to retain the witnesses, to abide, if necessary, the issue of a prosecution for perjury; had he thus confessed that there were certain inferior persons over whom he had no control, the House would probably have adopted a resolution very different from that at which it had arrived. Without cavilling about the phrase "substantial justice," or any other words; he must say that the

House was placed in a situation which prevented it from inquiring into the allegations of the preamble with any probability of arriving at a satisfactory conclusion. His noble friend (Lauderdale) contended, that it would be the greatest possible injustice to stop in the middle of her Majesty's defence. He (lord Holland) confessed, that he was "made of sterner stuff;" he was ready, and had been ready from the beginning, to quash this proceeding. He felt bound to say, that the defence had not only been interrupted, but it was rendered impossible that it could now be continued with the same advantage as it had before possessed. This proceeding had in the beginning been eulogised as the most favourable to the Queen, upon the hypothesis that she was guilty—a strange topic of panegyric for those who were now so prodigiously anxious about the Queen's honour. It was said, do not stop in the middle of the defence; but he begged to ask if no instance could be found of a trial being interrupted in a court of justice in consequence of something improper being proved against one of the parties. With respect to the apologies offered in behalf of the individual; he remembered lord Thurlow to have said, that he would not take any notice of the conduct of persons in office on occasions like the present, because to make observations was to afford an opportunity for a fulsome panegyric, not only upon gentlemen immediately in place, but upon all those immediately connected with them. Of the truth of this proposition, they had to-day an abundant illus-

tration. In conclusion, he observed, that he did not stand up for any indulgence for the Queen, but he stood up for the Court itself, because he did not like to proceed in a course in which, happen what would, the judges could not lay their hands upon their hearts and say, "We are satisfied that full justice has been done." He thought it was much better to stop altogether, than to persevere in a road which could lead to no satisfactory conclusion.

Upon the motion of Earl Grey,
John Allan Powell was sworn.

EXAMINED BY LORDS.

By Earl Grey.—Was employed under the Milan commission, and assists the agents for the Bill; was present at the examination of Restelli; yet he recommended that Restelli should be sent to Milan. Restelli had been the courier who had conducted a great number of witnesses to Dover. Those witnesses had been ill-treated by the populace at Dover; they were afterwards sent to Holland. Witness had heard that reports had been propagated in Italy, that these persons had suffered great personal injury, and that their families were in consequence extremely anxious about their safety. As he understood that Restelli was acquainted with the greater part of those families, he thought it would be an act of humanity that some person who had seen the whole of those witnesses in this country should go over with letters from them; and having himself been an eye-witness of their safety here, that he should report to those families what their situation really was. He thought there would have been ample time for Restelli to return before the 3rd of October, and witness (as he recollects) gave him specific instructions that he should return by that date; has every reason to believe that Restelli will soon again be in England, because the most positive directions have been sent to him at two or three several times; has heard, however, that Restelli had been violently ill since his departure,

and confined to his bed with a fever, having been blooded and attended by some medical person; never received any specific instructions from government to detain the witnesses; had not the least idea that Restelli would be again wanted until the Bill went to the House of Commons if it should pass their lordships House; was present when the noble earl at the head of the government gave a pledge that the witnesses should be detained, but did not consider that, in recommending Restelli to be employed as a courier, he was guilty of any disobedience; gave the subject no consideration whatever, being under the impression that the man would certainly return before the 3rd of October; there was no intention whatever, when Restelli was sent, to bring back other witnesses to rebut those of the Queen.

By Lord Alvanley.—The families of the witnesses might have applied to colonel Browne for information respecting their friends, and in fact many of them did apply to that gentleman; but though he gave them the best assurances he could, they were not satisfied; and witness has received depositions of the relations of some of the witnesses, in which they depose to having heard of serious injuries received by their relatives. Witness is of opinion, that if Restelli is desirous of withdrawing himself from justice, the government of the country (Milan) will be prevailed upon to compel him to appear.

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SATURDAY, OCT. 14.

Examination of *John Allan Powell* resumed.

By the Earl of Carnarvon.—Restelli was sent off on the 14th or 15th of September; witness sent some papers by him to be legalised, which he thought might be made use of on the meeting of their lordships on the 3rd; he calculated that he might go to Milan in seven or eight days; he was only instructed to go to Milan. Two other persons, who came over to give evidence (but who had not been examined) returned also.

By Earl Grey.—Has a letter from colonel Browne, giving an account of Restelli's illness, but considers all communications made to him by col. Browne on this business as confidential, and therefore objects to its pro-

duction, in the whole or in part; objects, in like manner, to the production of his own letters to colonel Browne; calculated that going to Milan and returning would occupy Restelli for about twelve days; was not aware that one only of the witnesses examined, described himself as a resident of Milan. His intention was, that Restelli should have communication with the families in Milan and the immediate neighbourhood; for this purpose he would have about seven days; objects in a professional character to communicating the date of his correspondence with colonel Browne, because he considers it his duty, but by no means that he feels any personal objection.

By Lord De Clifford.—None of the persons who were the objects of attack at Dover has returned to Italy, except Restelli; a woman was among the persons attacked; she remains in England, and there is one man who has never recovered his hearing, which he lost from the injuries sustained in that attack. [The examination was continued by several lords, but without any important result, and counsel were asked whether they had any question to put.]

Mr. Brougham.—Who is your client, or employer in this case? [Cries of No! No!]
—The witness was ordered to withdraw.

Mr. Brougham.—My lords, it is a very important question, and I have no object in putting it, except for the purposes of strict justice. It is most important for us to put this question to the present witness, as he is the very first that has appeared at this bar in the course of the proceedings, who could give us any information upon the subject. Is it not of great importance to ask of this witness, who is the solicitor in this cause, who his client is, when we are acting as the counsel of a defendant open and avowed? If I knew who the person was, *non constat* that I could not bring forward documents, speeches, and communications,

without number against him, and highly important to the case of my client; but up to this moment, I have never been able to trace "the local habitation, or the name" of the unknown being who is the plaintiff in this proceeding. I know not but it may vanish into thin air—I know not under what shape it exists—

"If shape it might be called, that shape had none,
Distinguishable in member, joint, or limb,—
Or substance might be called, that shadow seem'd;
For each seem'd either—what seem'd his head
The likeness of a kingly crown had on."

If I could see it, I might interrogate it, and bring out of its own mouth—if mouth it had—who and what it is—whether it be a man, or if it be but the *likeness* of a kingly crown it wears. It may be some shapeless form without a head, or head without the semblance of a body; but highly and vitally important as it is for my client to know who is her principal accuser, and highly indispensable as it is for me who am her advocate to put such questions to the witnesses as I am legally entitled to ask, and upon which I should have a right to insist in any of the courts below, I am met at every step by "you can't ask this question;" "you must not put that question." But, my lords, how can I discharge my duty to my illustrious client, if I am to be debarred from putting questions to the witness indispensable for her defence, and which, as an advocate, in any of the courts below, I should have an undoubted right to put, especially as they tend in no degree to

infringe the rules of professional confidence?

The counsel was informed, that this witness being specially called as to the abstraction of Restelli, could not be subjected to the proposed general examination; but the Queen's counsel might so examine him if they thought proper to call him as their own witness.

Examination by Mr. *Brougham* resumed.

Before Restelli no witness (examined or unexamined) had to the best of witness's knowledge, returned to the north of Italy; couriers had gone to the north of Italy—Krouse, among others; begs to observe, that it was reported in the north of Italy, that the letters brought by Krouse and the others, had been forced from the witnesses in England. Rancatti's wife, after these letters, sent an express to England to be assured respecting her husband's safety; does not remember that Restelli swore that he did not know one of the eleven witnesses who came over with him; cannot take upon himself to swear that Restelli had not been in Italy between the Dover riot and the 14th of September; expected Restelli's return confidently; knew he was an important witness for the Bill before the House of Commons.

By the Attorney General.—Was in the House when the Queen's attorney-general stated that he did not intend further to cross-examine any of the witnesses who had been called in support of the Bill; no intimation was ever conveyed to witness of any intention to call up Restelli for further cross-examination.

By the Marquis of Lothian.—Understood that Restelli was himself maltreated at Dover along with the other witnesses.

The Earl of Lauderdale moved, that Mr. Powell's examination should be printed separately, as irrelevant to the issue before the House.

Earl Grey maintained that the examination was of great importance, as it went to show whether a material witness was or was not sent away.

Lord Erskine, the Earl of Donoughmore, and the Earl of Carnarvon, concurred in opinion with Earl Grey, and Lord Redesdale, and the Lord Chancellor supported the Earl of Lauderdale's proposition.—Nothing, however, was decided.

Mr. *Planta*, under secretary of state in the foreign department, was called and examined as to the circumstances under which he granted a passport to Restelli. He merely stated, that about the 14th of September he had issued a passport (previously signed, with many others, by lord Castlereagh, with blanks for the names of the bearers and the dates) upon Powell's representation, without any farther consideration, and without any communication whatever with lord Castlereagh upon the subject; he had subsequently issued passports to other couriers, but he could not precisely recollect their dates.

[It was intimated to counsel, that they were at liberty to offer any application in consequence of the absence of Restelli.—Mr. Brougham said, he was not prepared with an application at the moment, and he would at present beg to proceed a little further in the line of examination in which they had been engaged on the day preceding.]

Filippo Pomi sworn.

Usually resides at the Barona; knows Giuseppe Restelli and Louisa Demont; in the course of the last year was visited by both these persons; Restelli came first, and Demont in half an hour after; Restelli was making a drawing of the house; he asked witness whether he had received any present from the persons who had come; and on witness's replying in the negative, he gave him a present of 40 francs. On a subsequent morning, Restelli called on witness, and they went together to the inn; Restelli said, "Pomi, if you have any thing to depose against her royal highness now is your time; you will become a great man, and shall receive a great present." Witness asked Restelli whether Demont was still in the Queen's service; he replied, that she was, and that she had made a good day's work. Witness then said, that he had been night and day a long time in the house, and never saw any thing that enabled him to speak ill of that lady: then

Restelli said, "You know nothing, for that house was a very bad house, bad women, and so;" and witness answered, that this was a real falsehood, for he had been in the house day and night, and saw nothing of this: the discourse ended here. Knows one Riganti in the Porta Ticinese; he is a companion of Restelli; he deals in tobacco, salt, and brandy, and other liquors.

MONDAY, OCTOBER 16.

[In order to accommodate sir John Beresford, his examination was, by consent, proceeded in before the conclusion of Pomi's examination.]

Sir *John Poer Beresford*, bart. sworn.

By Earl Grey.—Is a rear-admiral; commanded H. M. S. *Poictiers* during the late war, and remembers a person named William Carrington serving on board that ship. At the request of sir William Gell, witness obtained Carrington's discharge by writing to capt. Jones, his acting captain, to rate the man as his witness's clerk; as there was no vacancy for a clerk, capt. Jones discharged him by rating him as a midshipman; he was not a midshipman during any part of his service, but was so rated after his discharge, in order to get him his pay. He was not discharged at his own, but at sir Wm. Gell's repeated request. Carrington was an excellent man while on board the *Poictiers*, and witness gave him a certificate of good conduct.

By the Lord Chancellor.—Carrington never declined the appointment of midshipman, because witness never offered it to him.

By the Earl of Lauderdale.—Carrington never stated to witness any difficulty in point of expense of dressing and maintaining himself; if he did, witness should have maintained him in the service, as he had maintained others, until he should be able to repay him. [The examination was continued by several other lords, but without any important result.]

Filippo Pomi cross-examined.

Last saw Bergami in the end of August, at his own house the Barona, now called the Villa Bergami; witness came over unasked, because he heard that the advocate Codazzi was receiving witnesses, and he went to him to say

that he had to say something in favour of the lady that had done so much good; Codazzi directed him to come, and he came willingly; he made no bargain for payment, but that his wife is to get a franc a day, and each of his children half a franc a day during his absence; if they offer him any thing he will take it, but he expects nothing; for on account of the benefits the Queen has done him, he would go to the end of the world. The estate of the Villa Bergami is about 1,000 *pertica*;* the whole House of Lords covers about half a *pertica*. Antonina was the tenant of the whole place; he has eighteen children, sons and daughters, and they all went once to one of the balls, because the Queen wished to see so large a family together; all the other persons who went to the balls were people well brought up, all gentlefolks; Rosina, the landlady of the Saint Christopher, came once, brought by the other girls, but she is a respectable woman, she is not a prostitute (*trappola*)—[No such imputation had been suggested in the question.]—Never saw nor said he saw Bergami in a bed-room with the Queen; saw baron Bergami's wife at the Villa Bergami before he set out for England. Among the gentlefolks who attended the balls at the Barona, he might name Giuseppa and Marianna Donnarini, and others, whose names he would recollect if they were before his eyes; Marianna Donnarini is a girl well brought up, and the flower of gentlefolks; she is the daughter of Antonio, a man who keeps one of the inns at the Barona.

EXAMINED BY LORDS.

By Earl Grey.—No proposition was ever made to witness to give evidence against the Queen, except by Restelli. There was another person, of the name of Riganti, who, when witness went to his shop to buy snuff, or something of the kind, told him that—

The *Attorney General* objected to receiving as evidence the declarations of Riganti, inasmuch as

* A *pertica* is ordinarily translated by an English pole, but that is greatly below the standard fixed by the witness; 1,000 poles are six acres and a quarter.

he was no witness in the cause, and no agency on his part had been proved.—After a long discussion, the objection was allowed.

Bonfiglio Omati sworn.

Was clerk to the advocate Codazzi; Codazzi was professionally engaged for the Queen; was conducted by an unknown person to the door of the advocate Vimercati; he went in, and the moment Vimercati saw him, he knew him, and told him to bring the Queen's papers.—*Question.* “Did he offer you any inducement to bring those papers?”

The *Solicitor General* objected to the evidence; he maintained it as a first principle of law, that no conversation with an advocate or attorney in the cause could be given in evidence.

The debate upon this point was continued until the adjournment of the House at the usual hour.

TUESDAY, OCTOBER 17.

The debate which had been raised upon the examination of Omati occupied the whole day, and terminated in the proposition of three questions to the judges; the first two framed by the Lord Chancellor, and the third by lord Erskine.

1st. “If in the trial of an indictment for a capital offence, evidence had been given upon the cross-examination of a witness examined in chief in support thereof, from which it appeared that A B, not examined as a witness, had been employed by the party preferring the indictment, as an agent to procure and examine evidence and witnesses in support of the indictment; and the party indicted should propose in the course of the trial of the indictment to examine C D as a witness, to prove that A B had

offered a bribe to E F, in order to induce him to give evidence touching the indictment, E F not being a witness examined in support of the indictment, or examined before it was so proposed to examine C D, would the courts below, according to their usage and practice, allow C D to be examined for the purpose aforesaid, or could such witness legally be examined, the opposite counsel objecting?"

2nd. "If," &c. [the hypothesis as to parties being the same as on the former question] "the party indicted should propose to examine G. H, to prove that A B had offered him a bribe to induce him to bring papers belonging to the party indicted, G H not having been examined as a witness in support of the indictment, would the courts below," &c.? as before.

3rd. "Supposing that, according to the rules of law, evidence of a conspiracy to suborn witnesses in support of any prosecution ought not to be admitted, except such as directly applies to a prosecutor, or agent employed by him;* general evidence of such a conspiracy may not, nevertheless, in the first instance, be received as a preliminary step to affecting the prosecutor himself, or any agent employed by him, and whether the same rule would not apply as to receiving evidence from a defendant indicted, seeking to establish the existence of a conspiracy to suborn witnesses against him?"

* The interrogative "whether" seems to be wanting here.

WEDNESDAY, OCTOBER 18.

Mr. *Granville Sharpe* further examined.

This gentleman came forward again upon his own solicitation, to retract what he had formerly sworn respecting the presence of the bishop of Calcutta at an eastern dance; he had since had reason to believe that his memory had not served him faithfully, and that the bishop was not present; the rest of his statement he found confirmed by the same memorandum which had discovered to him his error respecting the bishop.

The *Chief Justice* delivered in an elaborate argument, the unanimous opinion of the judges upon the three queries referred on the preceding day. He observed, in the first place, that the rules of evidence admitted no distinction of prosecutor or defendant, and that the question must be therefore treated as relating to the agent of a defendant, no less than to the agent of a prosecutor. The agency he meant, was that specially described in the questions propounded, namely, the employment of a person to procure and examine evidence and witnesses, a lawful employment, necessary in many cases, and in none disgraceful, either to the employer or the employed. Considering, then, the acts of such an agent as they might be supposed to affect the prosecutor, the employment being lawful, it is to be presumed, until the contrary is shown, that the prosecutor intends that it shall be executed by lawful means; and according to the general rules of law, a person

is not to be affected in interest or fame, by any act of another, although that other may have been his agent; except by such acts only as either are in their own nature, or by extrinsic evidence may be shown to be, within the scope of the authority given by him. With regard to the effect which the acts supposed to have been done, can be imagined to have upon the evidence of the witnesses, his lordship said, that the utmost effect (and in many cases this would not be a fair or reasonable effect) would be, to raise a suspicion; but suspicion is not a legitimate ground for the verdict of a jury. Upon those grounds, he thought, that the first question must be answered in the negative.

He begged, however, to remark, that his observations applied to the proposition in the general and abstract shape in which it had been propounded; and that he was by no means prepared to say, that in no case, and under no circumstances appearing at a trial, would it be fit and proper for a judge to allow proof of the nature described to go to a jury; and the inclination of every judge is rather to admit proof than to exclude it.

The second query he would also answer in the negative, the same reasons applying to it as to the first; and in addition to these, he observed, that it did not appear what was the nature of the papers alluded to, or the motive of the party endeavouring to procure them; for any thing that could be inferred from the question, they might be wholly unconnected with the prosecution.

The third query, the judges understood as applying to two

distinct cases; the first, where the conspiracy supposed was the object of the prosecution. The second, where it was supposed to be the means of the prosecution, and the proof of conspiracy the topic of defence.

In the first case, the judges were of opinion, that general evidence of a conspiracy might be received as a preliminary step to that more particular evidence by which it was to be shown, that the individual defendants were guilty participators; but in all such cases, the general nature of the whole evidence was to be opened to the Court; and if upon such opening it should appear manifest, that no particular proof, sufficient to affect the defendants, is intended to be adduced, it would become the duty of the judge to stop the case *in limine*, and not allow the general evidence to be received.

In the second case, in which the judges understood it to be assumed, that the supposed conspiracy to suborn witnesses against the accused, was a legitimate ground of defence, and that their lordships did not ask the opinion of the judges upon that point; they answered the question also in the affirmative, with this qualification, that the proposed evidence should be in some way opened to the Court, as in the case of a prosecution, in order to enable the judge to form an opinion as to the probability of bringing the evidence home, so as to affect some person, whose acts are material and relevant to the issue in the indictment then under trial.

The *Attorney General* said, that although the opinion of the

judges had confirmed the force of the objection taken by the solicitor-general, if their lordships thought the proposed inquiry ought to be pursued, he would make no farther opposition, but rest persuaded, that its result would be favourable to the Milan Commission. Should a *prima facie* case be made out against the gentlemen composing that commission, he had no doubt that their lordships would allow him an opportunity of rebutting it.

After a short discussion, the result of which was, that the whole House seemed to concur in the propriety of prosecuting the inquiry into the acts imputed to the Milan Commissioners,

Bonfiglio Omati was recalled.

Vimercati told witness, that if he brought him the Queen's papers, he would give him an employment in the police of Milan, and more emolument than his own employer. Carried papers to Vimercati, seven or eight several times; Vimercati knew well, that witness was Codazzi's clerk; he gave witness money six times; but witness was not satisfied with Vimercati's payments, and complained to colonel Browne; Browne told him, that he was a friend to Vimercati, and that witness ought not to doubt Vimercati's promise; witness, in consequence of this conversation, called again upon Vimercati, and received more money from him. The papers purloined by witness, related to the present process; one was the deposition of a chambermaid, who went with Sacchi to Milan; the others were letters of the Queen, Bergami, and other persons upon the subject of depositions. Knows Riganti; Riganti applied to him for papers of this kind; Vimercati assured witness, that Riganti was a person of character, in whom he might confide, and give him any papers; Riganti said, that he would give witness a great deal for the papers. First disclosed to Codazzi, that he

had taken these papers the 27th of July, in the present year.

Cross-examined.

Has lived with Codazzi a year and a half; was dismissed when he confessed his misconduct respecting the papers; first saw Vimercati in September, 1819; does not know the man who directed him to go to Vimercati, though he had two conversations with him, and has seen him since, but indistinctly [witness described his person]; he met this man accidentally; for the first parcel of papers Vimercati gave witness three double gold Napoleons [about 4*l.* 16*s.*]; for the second four single Napoleons; for the third parcel he was paid at another time; he continued carrying papers until the end of November; reflected upon the impropriety of his conduct in the beginning of the year; Codazzi never missed the papers until July; in July witness gave Riganti, a list of the Queen's witnesses. The last sum witness received from Vimercati was 52 Milan livres, and one-half at the end of March. Brought some papers (two or three letters) when he went to colonel Browne to complain of the advocate Vimercati, who, having seduced him, paid him so little.—*Question*. "In answer to a question by colonel Browne, did you not say that you were clerk to the advocate Codazzi, and did not colonel Browne give you back instantly the two letters you had delivered to him, and tell you he thought you a most infamous scoundrel, and that you would end by being hanged?"—*Answer*. "He will be hanged, not I, for I never said so. He gave me the letters, but he said no more. Nay, he shut the door, and bid me not speak so loud, because I complained of the advocate Vimercati; and he told me to call the next day upon Vimercati, from whom he would cause me to receive 200 francs, and that Vimercati was a person of character, and would keep his promise." Has never had any communication with Codazzi since his dismissal; expects no reward for coming to England; has no intention of returning to Codazzi's service, because his present trade (selling woollen goods) is more gainful than his employment under Codazzi.

Re-examined.

Is twenty-two years old ; received in the whole from Vimercati between 350 and 400 francs.

Filippo Pomi again called.

Knows Riganti ; when witness has gone into his shop to buy salt, tobacco, or the like, Riganti has applied to him to become a witness against the Queen ; he said, “ Pomi, have you ever seen these jokes (*scherzi*) between the princess and Bergami ? Now is the time to come forward to gain something, and to become a man.” Witness replied, “ No, I have never seen any *scherzi*,” and Riganti rejoined, “ Oh, have you not seen Bergami put the princess upon the back of a donkey, and put his hand under her petticoats ?” Witness then told him, that this “ was a perfect falsehood ; for, instead of that, Bergami paid the princess all possible respect and decency which was due to so great a personage.” Witness was afterwards obliged to avoid Riganti’s shop, from the annoyance of his importunities upon this subject. [The cross-examination was unimportant.]

Antonio Mioni sworn.

Is a Venetian. Knows Paolo Zanca, who is manager of a theatre ; in March, 1818, was in the theatre San Luca at Venice, with Zanca. Zanca received two letters ; he opened them, and read them with an apparent emotion. They prepared to set out together for Milan ; at the place of the diligence were deposited for Zanca’s use fifteen golden Napoleons. When they arrived at Milan, Zanca called at the house, No. 660, in the Porta Orientale (colonel Browne’s residence) ; he went up, and remained a quarter of an hour ; he called also at the house of Vimercati, on the following day, and remained an hour and a half ; he then went again to the house of colonel Browne, and having remained with him about a quarter of an hour, came down stairs with eighty gold Napoleons in his hand.—*Question*. “ What did he say to you at that time ?” [The Attorney-general objected to this question, and the judges being consulted, declared it inadmissible, without a moment’s hesitation. The House therefore, though not without

a long discussion, decided that it could not be put].

THURSDAY, OCTOBER 19.

Antonio Mioni recalled.

Zanca had no other object but this at Milan.—*Question*. “ Did Zanca make any offer ?”—The question was not allowed to be put.—[The cross-examination was unimportant].

Domenico Salvatore sworn.

Is a native of Treviso, and a professor of literature (Latin and Italian) at Lausanne, in Switzerland ; was at Morge in December 1817, and January 1818 ; had a conversation with Sacchi there, on the subject of the process against the Queen.—*Question*. “ Did he give any counsel to you upon the subject ?”

The *Attorney General* objected to this question, as Sacchi had not been proved an agent ; and if it was intended to discredit him as a witness, he should be, in the first place, specially cross-examined as to the particular conversation which it was intended to prove against him. After a discussion of some length, and the opinion of the judges had been pronounced against the admissibility of the question, the House divided upon it, and it was declared inadmissible, by a majority of 159 to 51.

FRIDAY, OCTOBER 20.

In the course of the discussion on Thursday, Mr. Brougham declared, that he had no objection to the production of Sacchi, if he were immediately forthcoming [it was understood that he was not in London]. On Friday the attorney-general stated, that Sacchi was in attendance ; but Mr. Brougham withdrew his assent, declaring that he had closed this part of his case.

After this question had been disposed of, another debate arose upon a motion by the marquis of Lansdowne, "That a Select Committee be appointed to inquire into and examine into the Correspondence between John Allen Powell, esq. and colonel Browne, as far as relates to the mission of Restelli. After much discussion, the motion was carried, and a committee was appointed as follows:—The lord president of the council (Harrowby), earl Grey, earl of Rosslyn, lord Manners, lord Arden, lord Ellenborough, earl of Lauderdale, lord Erskine, lord Ross, lord Amherst, marquis of Lansdowne.

Colonel *Allessandro Olivieri* sworn.

Has been in the service of the viceroy of Italy; his present rank is that of colonel of cavalry; was taken prisoner in the Russian campaign; was introduced to the Queen in November 1816; entered her service as one attached to her court in the same month of the following year, and continued in her service until the 4th of November 1818, when he received an appointment as joint chamberlain with Bergami; his wife and daughter resided at Rome. When the Queen set out from Rome to Sinigaglia in 1817, witness handed her into the carriage (an English landaulet); Bergami, the countess Oldi, and the child Victorine, travelled in the carriage with her; Carlo Forti rode as courier. Bergami always conducted himself as a most respectful servant towards the Queen; never saw any thing indecorous in his conduct. At Rome many of the first nobility visited the Queen; cardinal Gonsalvi, cardinal Ruffo, cardinal Vidoni, cardinal Cacciapiatti, the princess Ghigi, the princess Aniajani, the prince and princess Gabrielli, the duchess of Bracciano, &c. At Pesaro, she associated with all the nobility of the place, including the archbishop of Urbino; Bergami has been received at the houses of these persons. The Queen's demeanor towards all these persons was affable, but dignified; she has occasionally

taken witness's arm. Her mode of spending her mornings was this: after breakfast she took an airing, and then went into her library, or wrote. Cannot say whether the Queen had any carriage with an apron at Pesaro, because he never saw it.

[The cross-examination, which went chiefly to the political conduct of the witness, and his fidelity to the cause of Napoleon, and to the admitted favours bestowed by the Queen upon Bergami's relations, was unimportant].

SATURDAY, OCTOBER 21.

Lord *Lauderdale* proposed that Lieut. Hownam should be called upon to produce his diploma as a knight of Saint Caroline.

Mr. *Brougham* stated that there was no difficulty, and that Mr. Hownam should be directed to deliver the diploma forthwith.

Mr. *Powell* attended at the bar with a sealed packet of papers, which, after a few words from lords Lansdowne, Darnley, and Liverpool, was referred to the Secret Committee.

Giuseppe Lago Maggiore sworn.

Is a fisherman; has been employed by the princess of Wales; knows Giuseppe Guggiari; never saw the princess and Bergami kissing; the princess sat on the left of the boat; the boat was lighted, and had they kissed, witness must have seen them.

Cross-examined by the *Solicitor General*.

Does not know how often he has conveyed the princess from the theatre to Villa d'Este; it might be more than 20 times; there were generally ten boatmen on board; it was at night he used to bring the princess from the theatre; the boat was all joined lengthways, but it was divided in the middle; the boatmen were in the fore part of the carriage [raised cabin], and the others behind; some of the boatmen were behind, and some before; the place occupied by Bergami and the princess was covered; it had glasses before and behind, and a curtain before; they were usually accompanied

by a gentleman of Como, who was a magistrate, and a musician; the boat was always full of gentlemen; the princess and Bergami were never alone; this the witness will swear; the persons whom he has named are residents of Como; cannot account for their going away from their residence at a late hour; does not think they always went home with the princess; came to this country with thirteen or fourteen others; was examined at Milan by the advocate Codazzi; witness swore to his information, which was set down in writing; Codazzi made him swear to it twice; witness did not tell two different stories; cannot precisely tell why Codazzi swore him twice; witness cannot say that Codazzi did not swear him three times; is in doubt how often he was sworn; an English gentleman was present; does not know his name; cannot say whether his name was Henry; was not paid any thing the first time he was sworn; received 20 Italian livres at his setting out from Milan for this country; never received any thing before or since; received but three half francs, of 26 Italian livres each; comes here of his own will; if they give him any thing he will accept it. Being asked if he had any expectations, he repeated this answer, His wife has a livre, and each of his children half a livre a-day; they have fixed two Napoleons a-day for witnesses expenses, but he has got none of it—it has not been finally settled; they do not know how it will turn out; it was Codazzi who fixed the two Napoleons a-day; did not see a one-eyed young man with Codazzi; it was Codazzi himself who took down the depositions. Witness lives about five or six miles from London; has not seen the Queen's house; the 21 witnesses live together, eat together, drink together, and talk together; knows Santino Guggiari, he lives in the same house.

Re-examined.

The allowance is made to witness's wife by the order of government; Bergami usually sat on the right side of the boat, and the princess on the left; witness was sworn; the oath was in the deposition, "E sul questo e stado giuramento;" this was all the explanation the witness could give of

the ceremony of taking the oath; there was no book there, nor cross; he kissed nothing.

Again cross-examined.

He did not hold up his three fingers. The advocate told witness to swear; to tell the truth; but witness made no sign.

EXAMINED BY LORDS.

By Lord Grey.—Never was examined before any tribunal.

By Lord Lauderdale.—The rowers in the boat stood; they looked towards the head of the boat; witness pulled the oar next the carriage behind; Guggiari an oar or two farther back; witness pulled the third, Guggiari the fifth oar. Guggiari always held the same place; cannot say that he was in the boat on every occasion on which Guggiari attended.

By Lord Cathcart.—Could not see over the carriage. Being asked what he said when he was directed to swear that he would tell the truth—witness replied, "What did I say; what did I do?" and would give no distinct explanation.

The Chevalier Carlo Vassali sworn.

Is a native of Milan; understands a little English; is equerry to the Queen of England; has not been in any profession; has been a military man; was a captain in the lately disbanded Royal Guards; became acquainted with her Majesty at the Villa of general Pino; saw her also at Milan at general Pino's; dined with her at the general's house; this was between 1816 and 1817; knows Bergami; he was at general Pino's at the time he alludes to; her royal highness invited witness to accompany her from Milan to Turin; went with her also on her German journey; acted as her majesty's private secretary; remained with her until she went to Caprili; thinks this was in 1818, but has no distinct recollection; subsequently entered her Majesty's service as equerry, and came with her as far as St. Omer's; Bergami was all the time in the Queen's service as chamberlain; he had the direction of the House; it was his duty to hire the servants and dismiss them; has seen the Queen and Bergami walking together very frequently; has

sometimes seen them walking alone out of the garden into the Portico; has seen them together in the carriage with others; has seen them alone, but when he himself was at a little distance; at Pesaro, Bergami was received by the neighbouring families; at Munich her Majesty dined, with her suite, with the king of Bavaria; Bergami dined at the table with the king. The king treated him with the greatest respect, and gave him a gold snuff-box, surrounded with brilliants and the king's name, M. J., the initials of Maximilian Joseph; was at the Barona several times when the balls were given, he was there six weeks, it was at the time of the Carnival; for the amusement of the suite and neighbouring inhabitants; there used to be about 20 people, including the suite and all; the tenants family used to come; the prefect Tamasia and the baron Cavaletti and the curate of the Barona used to be there; never saw any thing indecent at the balls at the Barona; was with the Queen at Carlsruhe; she dined on the second day with the grand duke; Bergami went home indisposed, accompanied by his sister; the princess remained with the grand duchess all the evening; witness remained also; they amused themselves the whole evening singing. The third evening they went to the theatre, and supped with the grand duke; they then went to Baden; they spent the evening at a musical society.

This witness also proved that the Queen was but one day and a half at Trieste, which negatived the testimony of the waiter Cuchi. He explained the scene at Scharnitz, described by Demont, by stating that the whole suite were up all night preparing for a journey: and he fully corroborated the evidence of Carlo Forti respecting the journey to Sinigaglia.

Nothing new was elicited on the cross-examination. The witness was a good deal pressed as to his recollection of the places at which the Queen dined on the several days respectively of her stay at Munich; but he replied, that he could not fix precisely where she dined every day; he was then asked, "What makes you remember so precisely where you dined every day at Carlsruhe, and you cannot recollect where you dined at Munich?" *Answer.* "A man may remember one thing and not be able to remember another,

without assigning any cause." After witness's return from Inspruck to Scharnitz, at two or three o'clock in the morning, he did not go to rest; was not very much fatigued; a man who has performed campaigns is not to be tired by an exertion of that sort; never lay down for a moment until he set out again; did not see Bergami at rest during the interval.

EXAMINED BY LORDS.

By the Earl of Liverpool.—Does not know that any one lay in the Queen's room at Scharnitz; as far as he knows, nobody slept there.

By Lord Ellenborough.—Upon the journey from Milan, which ended at Sinigaglia, Carlo Forti did not set out as a courier, but travelled at first as a private individual; he did not go as a courier from Milan to Loretto.

By Earl Grey.—At Loretto, he entered provisionally into the Queen's service, and he was sent to Rome with a dispatch.

By Lord Calthorpe.—Bergami was with witness when he went into the Queen's room, after returning from Inspruck to Scharnitz; saw one bed in the Queen's room, there was no mattress; believes the Queen was at the window, when witness once saw Mahomet's dance at the Villa d'Este; never saw any lady whatever, consequently never saw any lady of rank or distinction, except the Queen, looking at Mahomet's dance.

By Mr. Brougham, through their Lordships.—Mahomet's dance was without doubt very ridiculous, but there was nothing at all indecent in it. On the second night of her visit to Carlsruhe, witness accompanied the Queen from the Palace to the inn; this was about eight o'clock; witness accompanied her into the saloon in the inn; Bergami and his sister and another person came to meet her; Bergami wore an uniform, and the Queen was most splendidly dressed; the Queen remained some time in the saloon, and then went to the Margravine's, where she remained until ten o'clock; this was the evening on which Bergami was indisposed.

By the Earl of Roseberry.—The Queen remained in the saloon during the whole period, from her return from dinner, to her going to the Margravine's. After witness's return from Inspruck to Scharnitz, in company with Bergami, at two or three o'clock in the

morning, he never was a quarter of an hour without going into the Queen's room up to five o'clock, when he saw her at breakfast.

Mr. *Brougham* renewed his complaint of the continued absence of the baron d'Ende. He cheerfully admitted, that the British government had used its best exertions to procure the baron's attendance; but intimated that the sincerity of its professed desire to bring forward a witness for the Queen's defence, had not been duly appreciated by the wily, crafty courtiers of Baden, who thought every one as roguish as themselves; in confirmation of this opinion, he observed upon the inconsistency of such a declaration as that "no means should be employed to compel the attendance of baron d'Ende," coming from the baron de Berstett, the very person who had compelled the attendance of Kress; he would take until the next meeting of the House, to consider what course the Queen's counsel must follow, under the circumstances.

The Earl of *Liverpool* begged to lay before the House six letters upon the subject of the baron d'Ende's attendance, of which the government had previously communicated copies to the Queen's counsel.

The first was a dispatch from lord Castlereagh to the hon. F. Lamb, British minister at the court of Baden, directing him to take the necessary steps with the government of that state to procure the attendance of the baron d'Ende. The following is the most important part of this document:—

"As it appears by the evidence of Barbara Kress, that she was not only permitted, but in some

measure required to give her evidence upon these proceedings in support of the Bill at the instance of the attorney-general, no doubt can be entertained, that when you shall have brought the different courses which are stated to have been pursued in the case of the baron d'Ende, under the Grand Duke's notice, his royal highness will at once, whatever may be the temporary inconvenience to his royal highness's personal service, give orders for the baron's being permitted instantly to set out for this country; and in the present advanced stage of the proceedings, you will consider it your duty to press that this gentleman's departure and journey may be as much as possible accelerated."

The second letter was from Mr. Lamb to lord Castlereagh; it was dated Carlsruhe, October 13, and inclosed the following, viz. the third, which was Mr. Lamb's note to the baron de Berstett, dated October 11. It begins by lamenting that the writer had failed in an application to the baron d'Ende made the same morning; professed fully to appreciate the repugnance of the Grand Duke to having the details of his court made matter of public investigation; adverted to a former application made for the attendance of a *fourrier* (messenger) of the court, as a witness against the Queen, which the writer had readily relinquished as soon as he was made acquainted with the sentiments and determinations of the Grand Duke; and observed, that if he now pursued a different course, it was on account of the difference of the circumstances.

"The witness in question," said Mr. Lamb, "is represented

to be essential to the defence of the Queen. The rights of hospitality will not be violated by his appearance; on the contrary, these seem to require that the Grand Duke should contribute to the vindication of the guest of his court.

“The permission which is requested, is still more essential to the character of the British government.

“With whatever good faith it may act, it will not escape the attacks of malevolence unless its demand be granted.” The writer therefore renewed and repeated his request.

The fourth letter was from the baron de Berstett to Mr. Lamb; it was dated Carlsruhe, Oct. 13. It referred to the case of the *fourrier* alluded to in Mr. Lamb's note, and also to the case of Kress, observing, that “if any agents of the British government have succeeded in inducing subjects of the Grand Duke to proceed of their own accord to England, this could never have occurred, except in the case of private individuals not being in the service of the court, or in any official situation, and to whom nothing but a passport from the police is requisite to enable them to proceed where they please.” The letter then communicated the two following in proof, that, although the Grand Duke was resolved not to compel the attendance of baron d'Ende, he was as little disposed to impede it.”

5th. Note from Baron de Berstett to Baron d'Ende, dated Carlsruhe, Oct. 11, 1820 :—

“Sir; One of the Queen of England's counsel having asserted

in the House of Peers, that after receiving two letters, written in her Majesty's own hand, with the view of inducing you to repair to England to give evidence in her favour, you had, with tears in your eyes, refused to accept the invitation given to you for that purpose by one of her Majesty's agents, alleging that an express prohibition from your sovereign rendered it impossible for you to undertake such a journey :

“Mr. Lamb, his Britannic Majesty's Plenipotentiary to the Germanic Confederation, has, in consequence, been directed by his government to proceed thither, in order to take all necessary steps for prevailing on his royal highness to remove the obstacles which, it would seem, prevent your compliance with the request of her Majesty the Queen of England.

“This minister having acquainted me with the purport of his mission, I have laid it before the Grand Duke, and his royal highness has commanded me, sir, officially to inform you, that you were perfectly at liberty to act, on the present occasion, as you should think proper, and that, although his royal highness would never, nor in any manner, interfere in whatever might relate to the proceedings against the Queen of England, he, nevertheless, was ready to give you leave, on your making such a request, to proceed either to England, or to any other country which you might wish to visit.

“The case in question being of extreme delicacy, I am directed by the Grand Duke to request you will return a written answer to the communication which I

have the honour of addressing to you.

“ Accept, sir, the assurance of my most distinguished consideration. (Signed)

“ The Baron DE BERSTETT.

“ *Carlsruhe, Oct. 11, 1820.*

“ To Baron d’Ende, one of his royal highness the Grand Duke of Baden’s Chamberlains, &c. and Master of the Ceremonies.”

6th. Note from Baron d’Ende to Baron de Berstett, dated Carlsruhe, Oct. 11, 1820:—

“ Monsieur le Baron; I have just received the letter which your excellency has done me the honour to address to me, and by which you are so good as to inform me, ‘ that one of the counsel for her Majesty the Queen of England has complained in the House of Lords, that, after receiving two letters which her Majesty had deigned to address to me, requesting my evidence, I had refused to proceed to London, in consequence of a prohibition on the part of my sovereign; that in consequence of this statement, Mr. Lamb, his Britannic Majesty’s Minister Plenipotentiary to the Germanic Confederation, has been instructed to repair hither for the purpose of removing any obstacle which might arise to my departure; and that his royal highness the Grand Duke has instructed your excellency to declare to me, officially, that I am perfectly at liberty to follow my inclination, and that his royal highness, upon my request, will not refuse a leave of absence for proceeding to England.’

“ I beg leave in the first place to be allowed to correct some mistakes which appear to have

crept into the allegations of her Majesty’s counsel. I have only been honoured with one letter from her Majesty, a letter which has been delivered to me by her agent, M. Leman, to which I have replied, that the nature of my duties rendered it impossible for me to come to England, in compliance with her Majesty’s wishes. With respect to the tears with which I am stated to have accompanied this refusal, I am the more astonished, as my declaration was conveyed to M. Leman through one of my friends, who undertook to communicate my determination to him upon this subject.

In consequence of the permission which your excellency has done me the honour to transmit to me in the name of his royal highness the Grand Duke, the difficulty grounded on the nature of my duties is overcome; I am extremely grieved that it is, nevertheless, not in my power to conform to the wishes of her Majesty the Queen. The state of my health is such that I could not undertake so long a journey without the greatest danger, particularly at this moment, when about to undergo a rigid course of medical treatment. Have the goodness, sir, to explain these circumstances to Mr. Lamb, and to convey to him my regret at not being able to proceed to England.

“ I avail myself of this occasion to offer to your excellency the assurance of my highest consideration. (Signed)

“ The Baron D’ENDE.*

“ *Carlsruhe, Oct. 11, 1820.*”

* The *Journal des Debats*, of the 15th of November, contained the following article, which gives a somewhat different explanation of the conduct of the baron d’Ende:—

“ The refusal of the baron d’Ende

MONDAY, OCTOBER 23.

The Secret Committee appointed to investigate Powell's correspondence with colonel Browne, relative to Restelli's mission, made its report, to the effect, that in the communications submitted to the committee, "the strongest statements were made of the mischievous impression

to appear before Parliament upon the Queen of England's trial, has been represented under so many fallacious lights, that it cannot fail of being interesting to the public, to know the manner in which the persecutions of that individual have terminated.

"On the 9th of October, M. Sicard was dispatched from London as the bearer of letters from the Queen and M. Vizard, in the name of her Majesty's counsel.

"The following is the Baron's answer to M. Vizard. It has been carefully guarded from the knowledge both of parliament and the public, but we can vouch for its authenticity.

"Sir; The letter which you did me the honour to address to me, bearing date the 7th of October, has been delivered to me by M. Sicard; and I hasten to inform you, that all the difficulties which might have existed in respect to my peculiar duties, have been removed by an official notification from his royal highness the Grand Duke. Mr. Lamb, his Britannic Majesty's Plenipotentiary to the Germanic Confederation, has come to Carlsruhe by the order of his government, for the purpose of removing every obstacle which might oppose itself to my attendance in London, as a witness in the process depending against her Majesty the Queen. Upon that gentleman's pressing and reiterated solicitations, his royal highness was pleased to inform me, through his cabinet minister, that he would refer the affair entirely to my own private will, refusing me neither leave of absence nor passport. I have, however, been obliged to decline acceding to the request either of the Queen or the King; the state of my health demanding my most serious attention.

"But, sir, had I been willing to

produced by the news of the attack upon Restelli's party at Dover by the representation of the riot there, as a massacre, by the report of the loss of an eye by Restelli, and of the murder of Sacchini, and by the return of Rossi and the Lugano witnesses in consequence of those reports. The terror of the families of other

sacrifice my health to meet the wishes of the Queen, I could not, in truth, so easily have overcome my feelings. I found in Mr. Brougham's defence of the Queen, a passage, which ought to have revolted me. Mr. Brougham has dared to say in these words:—'There was also a Grand Duke mentioned by Barbara Krantz, who was at the place where the scene was said to have taken place, who was equally inscrupulous and active, as any of the other agents.'

"You, sir, know well, no doubt, the attachment of every honest man to the master to whom he has devoted his services; and you will fully sympathize in those feelings of indignation, with which I must have heard such an insult offered to the memory of a sovereign, to whom I was bound by the most complete devotion, and by all the dearest ties of personal affection. I felt that I should have basely failed in my duty to the late Grand Duke, who was not merely my master, but to the last hour of his life heaped upon me the most flattering proofs of his confidence and good-will, if I had lent myself to a cause in which any one had dared to blacken so unjustly his pure and noble conduct. For the rest, sir, I can the more readily submit to the principle which dictates this refusal, without believing that I compromise any duty; because the only testimony which I could give, would not be so much for the interest of her Majesty's defence as may be supposed.

"Requesting that you will receive the assurance of my perfect consideration, I have the honour to be, &c.

"LE BARON D'ENDE,
First Gentleman of the
chamber, to his Royal
Highness the Grand
Duke."

"Carlsruhe, Oct. 16."

witnesses, who were said to have lost their lives, was represented as extreme, and colonel Browne represented all these circumstances as having deterred witnesses, by fears for their personal safety from coming to England, who were before ready and willing, and going off with all the expedition possible."

The committee added, that this statement was deduced from the correspondence which Mr. Powell described as his inducement to send Restelli to Italy, without publishing any part of the correspondence, as the letters "contained statements which, in that form, could not be received as legal evidence of the circumstances to which they refer, but which, if produced, might affect the inquiry before the House."

The same objection, the Committee said, did not apply to the letters sent by Restelli, and the correspondence subsequent to his mission, and from these they presented ten extracts; 1, 2, and 3, were letters from Powell to col. Browne, explaining the purpose of Restelli's mission (the explanation agreed with that given by Powell at the bar, and by the attorney-general, and urging Restelli's prompt return; 4, was a note from colonel Browne, dated Milan, Sept. 27, communicating Restelli's arrival, and acknowledging the letters brought by him; 5, was a note also from colonel Browne; it was as follows:—

[Endorsement, Received October 4.]

"Milan, Sept. 27.

"Restelli will take back with him * * * *, and two new witnesses referred to in * * * * letter. I much fear that Restelli is shuffling; he is in bed, and says he has a fever from crossing the water; and he is heartily sick of the

manner in which the witnesses are confined in England. I wish he had not been sent back at such a moment, as it will, I am sure, be difficult to move him again. I shall press him the moment he leaves his bed."

6. (Also from colonel Browne.)

"Milan, 1st October.

"Restelli is still in bed with a violent fever."

7. (As before.)

"Milan, 2nd October.

"Restelli is still on his pillow, and has been bled twice yesterday."

9. From Powell to Browne, dated October 8, strongly urging the necessity for Restelli's return, and communicating the express commands of the attorney-general that he should be sent back.

10. (From colonel Browne.)

Milan, 4th October.

[Extract.] "Restelli continues seriously ill. It would appear to be a severe attack of the jaundice. I shall urge him out of his bed as soon as possible, and endeavour to persuade him to return, but he cannot for three weeks to come; and his horror of the sea is such, that it will be a tremendous task to induce him to cross it again."

Mr. Brougham begged to tender, in proof of the estimation in which the Queen was held abroad, two copies of the Austrian Gazette, published at Trieste, which stated her to have arrived at Trieste at mid-day on a certain day, and to have left Trieste on the following day with all the demonstrations of respect befitting a person of her station. He admitted that regularly these papers would not be considered as legal evidence, but thought that under the particular circumstance of the case, their lordships would not exclude them.

The Attorney and Solicitor General objected to the evidence; the latter observing, that the real purpose of producing it, was to support Mr. Brougham's statement of the time of the Queen's arrival at, and departure from,

Trieste. The evidence was not admitted.*

Lieutenant Hownam delivered in his diploma as a Knight of Saint Caroline; the following translation of it was agreed upon by the two interpreters, the Marchese de Spineto and Mr. Cohen:—

“*Jerusalem, 14th July, 1816.*”

“By these presents subscribed (or signed) in the hand-writing of her royal highness the Princess of Wales, and bearing her seal, is instituted and created a new order of Knighthood, to recompense (or reward) the faithful Knights who have had the honour to accompany her royal highness in her peregrinage (pilgrimage) to the Holy Land.

“First—This Order shall be given to, and worn only by, those who have accompanied her royal highness to Jerusalem, with the exception of the physician to her royal highness [his name is here inserted in the diploma], who was only prevented by accident from following her royal highness.

“Second—Sieur Bartholomew Bergami, baron Francini, Knight of the Grand Order of Malta and of the Holy Sepulchre of Jerusalem, equerry to her royal highness, shall be Grand Master of the Order, and his children, as well male and female, shall succeed him in it, and wear the same order, which shall descend to their progeny from generation to generation, to the end of the world.

“Thirdly—The same advantage is granted to the Knight of the Holy Sepulchre, Mr. William Austin, and

* See the evidence of Pietro Cuchi, page 1004, *antè*.

The following are the extracts from the *Trieste Observer*, of April, 1817:—

“*Trieste, 16th April.*”

“The Princess of Wales, the wife of his royal highness the Prince Regent of England, in passing the Higher Germany, arrived in this city yesterday about mid-day.

“In the evening, our new grand theatre, where the exalted princess

his legitimate children, either male or female, for ever, shall enjoy this honour.

“Fourthly—This honour shall be granted to you, Jos. Robt. Hownam, captain in the English navy, who are created Knight in the suite of her royal highness the Princess of Wales; this distinction to be enjoyed by you merely as a personal honour, the Cross and Patent on your demise to be restored to the Grand Master.

“Fifthly—The Grand Master shall wear the Cross of the Order round his neck, and the other Knights shall wear it at the button-holes on the left-hand side of the coat.

“Sixthly—The above-mentioned Order shall consist of a red Cross, with the motto ‘*Honi soit qui mal y pense*,’ and shall be called by the name of Santa Carolina of Jerusalem. The ribbon thereof shall be lilac and silver.

(Signed)

“CAROLINE, Princess of Wales.

“Colonel BERGAMI, Knight of Malta, Baron Francini, Knight of the Holy Sepulchre, Grand Master of the Order.”

“To you, Joseph Hownam, Knight, in the suite of her royal highness the Princess of Wales.”

[The seal and cross were annexed by a slender ribbon of the texture and colour described. The seal, which was defaced, was somewhat larger than a shilling. The cross, a *pattee*, bore an annulet, inscribed with the motto of the Garter; it was surmounted by an Electoral Crown, and the extreme length of the arms was about three quarters of an inch.]

went to the grand spectacle of a new opera, was, in honour of her royal highness, splendidly illuminated.”

In a subsequent number of the same paper, dated the 19th of the same month, is the following article:—

“Her royal highness the Princess of Wales left this city the 16th of this month, at five o’clock in the evening, for her delightful country residence on the Lake of Como.”

Louisa Demont recalled.

By Mr. Williams, through their Lordships.—Knows a person named Martigni, not Martigner, a *Marchande-de-Modes*, at Morje; has seen her several times; may have seen her in 1818, but does not remember the month. [The witness was cross-examined with great minuteness as to the particulars of a conversation which she was supposed to have had with this person; but she denied all recollection of this conversation in the whole, or in part, asserting her belief that no such conversation took place, but declining to give an absolute negative. The particulars of the conversation will be found in the testimony of the next witness.]

By the Solicitor General, through their Lordships.—Never said any thing of the Queen's conduct with Bergami until she was examined at Milan. [The solicitor-general wished to examine her respecting the journey to Sinigaglia, but was not permitted.]

Mr. Brougham requested that Demont might be detained at the bar, in order to be confronted with the witness whom he was about to produce; but, the solicitor-general objecting, the House would not permit a departure from the general rule.

Fanchette Martigner sworn.

Keeps a miliner's shop at Morjè; knows Louisa Demont, since she (L.D.) was sixteen years old; saw her at Morje in April, 1818, at the country-house of the demoiselles Jaquereau, whither witness went about some work for Mademoiselle Demont. A conversation arose respecting the Princess of Wales. Witness observed to Demont that the princess was a *femme libertine et galante*, and said so frankly, for such was her opinion. Demont put herself into a great passion, and said it was nothing but calumnies; she said every thing that was good of the princess; that ever since she left England, she was surrounded by spies; that her simplest and best-intentioned actions were misinterpreted; that the princess knew she was surrounded by spies, and did nothing but what she was willing that all the world should know. Witness asked her if she had herself ob-

served any thing; she replied, "No; it is impossible to be more virtuous than my princess." She said in conversation, that the old King was the only support that the princess had.*

Cross examined.

Knew Demont since she was learning needle-work with Madame Redar; she was then fifteen or sixteen years old. Witness cannot say, whether that is five, six, or ten years ago, or whether it was not more than three years. Madame Redar might be written to. The demoiselles Jaquereau heard the whole of the conversation to which witness has deposed. The gentleman who brought her to England deposited with M. Moret, a banker, 100*l.* as a security for their promise that the government will give her whatever is just and fair; no other promise has been made to her, but she has received 70*l.* sterling on account. The expenses of her journey have also been paid.

Re-examined.

Her first acquaintance with Demont was before that person had entered the Queen's service.

EXAMINED BY LORDS.

By the Earl of Darlington.—Demont is not at all acquainted with witness's husband.

By the Earl of Harrowby.—Demont said the princess was greatly affected by the death of the princess Charlotte; that she had lost all that was most dear to her.

Mr. James Leman was again called.

[The witness repeated in substance the evidence he had formerly given, respecting his unsuccessful application to baron d'Ende. [See page 1058 *antè.*] Adding, that after the baron had told him "he had bad news for him; he was not permitted to go," he seemed extremely agitated, took witness to his house, and placed witness's hand on his breast, saying, "Feel how my heart beats." On the same morning, about an hour or two afterwards, wit-

* All the averments of this conversation had been previously put in the shape of questions to Demont, but she adhered to a non-recollection and disbelief of all, without an absolute denial of any.

ness wrote a letter to the baron, to which he received a verbal answer by a M. Schweitzer, a lieutenant in the Life Guards, whom he knew to be a friend of the baron's. The answer was, that he (the baron) could not make the deposition without the consent of the Grand Duke, and he declined sending a written answer.

EXAMINED BY LORDS.

By the Earl of Darnley.—The baron d'Ende appeared to be in perfect health; he is a man about forty years of age.

Mr. Brougham again complained of the disingenuous conduct of the court of Baden in withholding the testimony of baron d'Ende. He ridiculed with much humour the pretence of a permission that had been granted to the baron, telling him, "If you choose to ask your *congé*, an ominous sound," said Mr. Brougham, "in the ear of a courtier; for that *congé*, which may strike many who hear me to the very heart, if they will only put themselves into the situation of the baron d'Ende, it means either leave to go, or no permission to come back; it is the leave which his Majesty gives to a faithful servant when he never wishes to see his face again." This word "*congé*" is expressly used, this word of ill omen, and he takes the hint. I do not mean to impute any falsehood to the baron; I verily believe that he felt ill upon this occasion; and that when he saw this word "*congé*" written in fair German characters, that heart upon which he put Mr. Leman's hand, was attacked with a second spasm; and that if Mr. Leman had been there, he would have found the second set the first at defiance. Under such circumstances as these, he submitted that the investigation could not be continued without injustice.

On the motion of lord Holland, that part of the evidence of Barbara Kress, relating to the means used to bring her to England, and baron de Berstett's correspondence with Mr. Lamb, were read. [See page 1006, *antè*.]

Lord Holland said, he had no specific motion to make, but he thought it his duty to call their lordships attention to the evidence and documents in question, in the most formal and solemn manner.

Counsel were ordered to proceed.

Mr. Brougham.—"My lords; I have only to add, that we fling ourselves upon the House once more, that under such circumstances as those of which the House is now cognizant; and with the recollection of what passed upon the former instance in the matter of Restelli, we feel it utterly impossible to proceed farther in her Majesty's defence."

The counsel for the Bill were asked had they any witnesses to call?

The Attorney General declared that he had such witnesses; he called their lordships attention, particularly to that part of the evidence against the Bill which was called for the purpose of establishing a conspiracy, to which no allusion had been made in Mr. Brougham's opening; when that case was attempted to be established, he said that he had sent to apprise colonel Browne of the necessity of his appearing before their lordships; from the distance it was impossible he could have arrived since. He (the attorney-general) might have gained from their lordships the time requisite to enable colonel Browne to appear by interposing

other witnesses, but their lordships would not have forgiven the artifice. He threw himself upon the indulgence of the House to grant him the time necessary to produce colonel Browne.

At the conclusion of this application, Mr. *Brougham* starting up, and raising his hands above his head, with a strong expression of astonishment in his countenance, exclaimed, in a very loud voice, "And now I ask, whether your lordships are a court of justice?"

The *Solicitor General* interposed, as entitled to follow the attorney-general, with an argument in favour of the application, the merits of which were argued by the counsel for and against the Bill during the remainder of the day.

TUESDAY, OCTOBER 24.

Earl *Grey* said, that pursuing the analogy of the practice of the courts below, the House should call for the original depositions of the witnesses for the Bill taken at Milan. He stated, that at the proper stage he would make a specific motion upon the subject.

The *Lord Chancellor* said, that having given the best consideration to the attorney-general's demand of yesterday, he thought it ought not to be conceded. Very little had been said to affect col. Browne in any way, and the little that had appeared in evidence against him, had been sworn to two months ago.

Lord *Darnley* entered his solemn protest against any further proceeding upon the present Bill; this protest he founded upon the impossibility of pursuing the investigation of the Milan com-

mission conspiracy, and the impediments which had been offered to obstruct the attendance of baron d'Ende.

Marquis *Camden* bore testimony to colonel Browne's merits during fourteen years military service, in the course of which he was seven times wounded. He pledged himself for the colonel's readiness to face any inquiry.

Lord *Holland* objected to any noble lord rising and pronouncing panegyrics upon persons incidentally mentioned in the course of the proceedings. Such panegyrics would call for the expression of different opinions.

Counsel were called in.

Captain *Briggs* again examined.

Commanded the *Leviathan*; remembers Hownam and Bergami on board; witness stated to lieutenant Hownam, that captain Pechell had observed on the rapid and improper promotion of Bergami; upon which lieut. Hownam replied, that he was sorry for it, and that he had intreated her royal highness on his knees, and with tears in his eyes, not to suffer Bergami to dine at her table, and he was sorry to say nothing could move her; to the best of witness's recollection, lieut. Hownam stated, that this was on the day Bergami's condition was changed; the first day he dined at the princess's table.

Cross-examined.

This conversation happened when the ship was on her passage from Porto Ferajjo to Palermo in November, 1815; does not remember whether any person was present; witness was, according to his usual custom, walking the deck with lieut. Hownam; last saw lieut. H. at Portsmouth, it was about seven in the morning; he asked witness whether any alterations had been made in the cabin; witness replied with surprise, that alterations had been made in his (lieutenant Hownam's) presence. Captain Pechell made no objections to the princess; his objection was to Bergami, who had stood behind his chair; it was long subsequently to this conversation that captain Pechell objected to Bergami sit-

ting at his table; took no note of lieut. Hownam's conversation; remembers it perfectly notwithstanding; repeated it several times in conversation afterwards; it was brought to his recollection by a letter which he received six or seven weeks ago; communicated this conversation to sir G. Cockburn, one of the lords of the Admiralty, five months ago; had the honour of dining with the King since he was last before the House; he commanded the Guard Ship at Portsmouth; other officers of witness's rank also dined with him with the King.

The *Attorney General* declared that he would not call any more witnesses.

The Duke of *Somerset* wished that lieutenant Hownam should be called back to give some further explanation respecting the tent or awning.

The Earl of *Liverpool* thought that some more specific ground for recalling a witness should be named, otherwise each of the witnesses might be called in succession.

After a few words from the marquis of Lansdowne and earl Grosvenor, Mr. Denman was directed to proceed in his summing up.

Mr. *Denman* then proceeded to sum up the evidence on behalf of the Queen. He commenced with a comparative view of the attorney-general's opening speech, and of the evidence by which that statement had been attempted to be sustained. He admitted as indisputable truth that Bergami had been received into the Queen's service at first in a menial capacity, and that he was afterwards promoted; that he received great marks of favour, and that several of his relations were received into her Majesty's household; and that she bestowed marks of great favour upon this individual. Among

these favours, was the conferring upon him what was called the pretended order of knighthood (the only one of all his alleged titles which the Queen was proved to have procured for him), which it was asserted in the bill that her Majesty had taken upon her to institute without any just or lawful authority. In the course of his researches, however, he, Mr. D., had discovered that the institution of such orders was not the exclusive privilege of reigning princes: he could instance several orders established in France by individuals who were not princes at all, and one in Italy founded by three Italian merchants. When an European princess went to visit the holy sepulchre—the first who did so during six centuries—was it surprising, or was it a crime, if pleased with her enterprise, and delighted with the novelty of the scene, she did that which dukes of Orleans and dukes of Bourbon had done in former times. “Lord Bacon says,” said Mr. D. “that ‘princes make to themselves desires; and make to their hearts toys, sometimes in erecting a building, and sometimes in making to themselves an order.’ The illustrious lady, my client,” continued Mr. D., “made improvements, and added a wing to the Villa d’Este, which are understood to be in the best taste, and cannot form any subject of complaint against her, how much soever they may differ from some of those buildings which have been lately erected in this country.* With this single

* Mr. Denman was understood to allude to some buildings erected at the royal pavilion at Brighton—not in the purest taste—the allusion was received with considerable merriment.

admission Mr. Denman closed his assent to any of the allegations of the bill, or any of the attorney-general's statement. He then proceeded to examine the evidence on both sides, which he analysed and compared at great length, and with great ingenuity. Adverting to the alleged occurrences on board the polacre (which seemed to be considered on both sides as the point on which the result of the case must turn), he spoke as follows: "I say that the plain inference, from which nothing should divert your lordships' minds, is this, that if adultery had been committed, the parties would have kept down below, where nobody could have seen them, instead of appearing together on deck in the day-time, much less exhibiting before the crew those proofs of immoderate passion, which have been sworn to by the captain of the polacre and his blushing mate. This tent on board the polacre is the last rag of the case, and I ask your lordships, whether, if I can show you that all which is stated to have passed before and after that period is untrue, you can by possibility conclude, that adultery was committed? Suppose the fact of sleeping under the tent to be proved, which it is not, yet supposing it to be proved, without the occurrence at the Opera House in Naples—without the indelicate dress of the masked ball—and without the midnight scene at Charnitz—will you say that the proof of criminal intercourse is satisfactory? You are trying the first subject in the realm upon a charge upon which you can take no middle course; for I disclaim any miserable compromise between acquittal and

shame. Let it not be said, that because the punishment is not intended to be of the heaviest nature, you are justified in deciding upon slighter grounds than if the utmost severity had been intended. Loath as I am to appear before your lordships in a state of exaggerated sentiment, I will still assert, that I would rather see my royal mistress tried at your bar for her life, than suffer degradation under the disguise of lenity;—I would much rather lead her to the scaffold, and see her lay down her illustrious head on the block (where no doubt she would conduct herself with the heroism which belongs to her family), than see her leave this country as an outcast;—a subject to excite at once the pity, and the scorn of the world—but rather its scorn than its pity. For though she would be followed in her fate by the regret of the nation, and the attachment and loyalty of a faithful servant, still her suffering would afford the most unfortunate instance of degradation from rank and loss of female character. Therefore, I say, that you ought to try her Majesty here as for an act of high treason committed on board the polacre. And here permit me to ask you, what any judge in any court of justice would say, if, in a case tried before him, all the evidence on the part of the prosecution was broken down, and only one fact supported by evidence as to belief remained disproved—that belief too, extracted from a witness called for the defence—I ask, what would a judge say under such circumstances? If he did not immediately tell the jury that the prisoner ought to be acquitted, he

would deserve to be impeached at your lordships' bar for a gross and infamous dereliction of his duty. Am I to go into this bath, and to follow Majoochi and Demont through their falsehoods? Both witnesses were asked in what room the bath was prepared? One said it was in one room, and the other in another; while the witness for the defence stated, that the room was too small to admit the bathing machine. As to the fact of the chamberlain having ascertained the temperature of the bath, nothing could be more proper—it was a part of his duty; and further than that, the evidence with regard to this transaction has been disproved. Never was such a witness brought as lieutenant Hownam to make out a case of prosecution. He had joined her royal highness in Genoa, when her passion is stated to have been at its height, and he continued in her service three years, when every thing criminal, if any thing criminal had been done, must have come under his observation. But though my learned friends have tried to prove the charge of indecent conduct, by the testimony of masons and white-washers, they do not venture to ask lieut. Hownam one question as to those indecencies, though we laid the ground for their doing so by our direct examination. With respect to the embrace supposed to have taken place at Terracina, how does the evidence stand? Majoochi says that the princess and Bergami were below stairs, where they kept him in attendance; no doubt to see them kiss. Upon this point he (Majoochi) had received no contradiction; for he had taken care to

swear that no one was present but himself. On another occasion, when Bergami was going about the distance of a mile, to make some purchases, that separation could not take place without another tender salutation. There Majoochi was present again; with nobody to contradict or support his statement but *Miss Demont*. She gave him but little help however, for all she could swear was, that the kiss took place while her back was turned, and she admitted that it might have been either on the hand or on the face. Such was the only confirmation on that point to the evidence of Majoochi, who swore that nobody was present but himself. I now come to the Villa d'Este, and the evidence of Sacchi, that valuable member of society and officer of Napoleon's army. We have here the testimony of discarded servants in support of charges the most disgusting—so disgusting, indeed, that I should have thought no husband could be prevailed upon to produce them against his wife, even if she had been guilty of infidelity, without any provocation from unkindness. But when the husband has no such plea, the more he loads her with infamy, the more he brings down disgrace and degradation upon himself. Through the whole of English history there is no example of an English king who thought himself at liberty to divorce his wife merely in consequence of distaste and disinclination. There is one, and I believe but one, in the History of Imperial Rome, which is thus described by the historian:—Octavia, the wife of Nero, on the day of her marriage, an unjust aversion being

excited in his mind, was repudiated and dismissed upon a false and frivolous pretext. He took a mistress in her place; and before long she was banished by means of a conspiracy, in which slaves were produced as evidence against her. Some of the servants were induced, not by bribes, but by tortures, to betray her; yet the greater part persisted in declaring her innocence. But though the public was satisfied, Nero persevered. She was hailed as in triumph by the generous people. On a second conspiracy, however, she was convicted, condemned, and banished to an island in the Mediterranean, where, in a short time after (the only mercy she experienced), her life was put an end to by dagger or by poison. The words of Tacitus are so strongly descriptive, that I cannot refrain from quoting them to your lordships:—*“Insulaque Pandateriâ Octaviam claudit. Non alia exsul visentium oculos majore misericordiâ affecit. Meminerant adhuc quidam Agrippinæ à Tiberio, recentior Juliæ memoria obversabatur à Claudio pulsæ. Sed illis robur ætatis affuerat. Læta aliqua viderant, et præsentem sævitiam melioris olim fortunæ recordatione levabant. Huic primus nuptiarum dies loco funeris fuit, deductæ in domum, in quâ nihil nisi luctuosum haberet, erepto patre, et statim fratre. Tum ancilla dominâ validior; et Poppæa non nisi in perniciem uxoris nupta. Postremo crimen omni exitio gravius.”*

Your lordships will recollect that her royal highness left this country after the first conspiracy had been attempted and defeated. She knew that she was the object

of her husband's displeasure—she knew that those who had courted her in the sun-shine of her fortunes, had been the first to desert her in the hour of adversity—she knew that she went abroad with reports and rumours circulated to her disadvantage, which have now at length assumed a tangible shape: being brought before you in the form of substantial charges, but I trust I may say with confidence, that we have proved those charges to be unfounded and untrue; when she was deprived of her only daughter, when that unhappy daughter was no longer living; every one of the witnesses now brought against her Majesty were discharged from her service. This took place in the month of November; then Demont, with all her secrets in her head, and Majoochi with all his kisses were dismissed. Then was laid the foundation of those disgusting scenes which were to be charged against this illustrious lady, who had been turned out upon the world, where she was to encounter perjury, and finally to be brought to this climax of misery to which she now stands exposed. I never see discarded servants brought forward, that the immortal words of Mr. Burke are not recalled to my mind.

“A mercenary informer knows no distinction; under such a system, the obnoxious people are slaves, not only to the government, but they live at the mercy of every individual; they are at once the slaves of the whole community, and of every part of it; and the worst and most unmerciful men are those on whose goodness they most depend.

“In this situation men not only shrink from the frowns of a stern

magistrate, but are obliged to fly from their very species. The seeds of destruction are sown in civil intercourse and in social habits—the blood of wholesome kindred is infected—the tables and beds are surrounded with snares. All the means given by Providence to make life safe and comfortable, are perverted into instruments of terror and torment.”

If any such person, instigated by malicious views, should swear that they had seen one of your lordships wives go out of her bed-room, and enter into that of one of your servants, how would you refute the perjury, except by proving that the servant had been turned away, and leaving his motive to be inferred from the circumstance of his dismissal? One of the wretched servants of that Roman lady to whose misfortunes I have already alluded, gave an answer so full of female spirit to one of her mistress’s accusers, that I gladly avail myself of it, from its point and application; and I do it the more readily, as the language in which it is expressed is less known :

“ Καθαρώτερον ὢ Τιγελλινὲ τὸ αἰδοῖον τῆς Δίσποινῆς με ἢ σε ζόματος ἔχει.”

This I state in reference to Sacchi and his associates. That fellow talked of being a soldier, and a gentleman, but the proof he gave of both was, by betraying his benefactress. I know that a witness is bound to disclose the truth, and the whole truth, when he swears on the sacred volume. But why is Sacchi a witness here? He received no summons, he was compelled by no subpœna, but came as a volunteer for base and sordid purposes. The greatest

of all traitors, the first apostate of Christianity, betrayed his master, and was followed by the execration of mankind. So his prototype in infamy, with the Bible to his lips, was ready to betray at once his God and his benefactress. I say, that the moment those persons had left her royal highness’s household, the conspiracy was already formed. If there was no Ompteda—if there was no Milan commission, still the conspiracy was formed; if instead of being expelled from her home, her Majesty had left her royal husband for reasons of convenience and pleasure, the conspiracy was formed in their hearts, and was sure of being carried into effect; fortunately, however, one of the conspirators, Louisa Demont, had disqualified herself as a witness by pronouncing in her favour one of the most candid, one of the most respectful, one of the most excellent panegyrics that ever proceeded from the mouth of a servant in praise of her mistress. I declare that if she was in the box as a witness against any party, it must operate as an acquittal and a protection to the party accused. It has been said on the other side, that those letters contained falsehoods, and were only intriguing compositions which held out false lights; but the language in which they are written is not the language of intrigue or scheming insincerity, they are evidence that must be taken and cannot be refused. If her Majesty had been accused two years ago, to whom could she look with so much confidence in her defence as to the very person now produced against her? The more I reflect upon it, the more it convinces me of the

truth of my learned friend (Mr. Brougham's) observation, that we ought to meet the case as we could and where we could, without exposing her Majesty to the risk of being farther betrayed. I am aware of the ingenuity that will be employed on the other side—we may be asked why we did not call the sister of Demont; but we had already seen the triumph expressed at the confusion of lieut. Flynn. On looking to his cross-examination your lordships will find, that on being asked whether he did not say the paper was in his own handwriting, he answered in his confusion, "If I did say so it was because I did not know what I said." Is it not, therefore, an act of discretion on our parts to refrain from exposing a nervous female to the buffetting of such a cross-examination as we knew she must have encountered? Still, however, if there was an actual necessity for bringing her forward, we should have done so without doubt; but there is no such necessity, we have met the various charges, we have repelled them as far as we have gone; and I entertain no apprehension but that I shall, before I conclude, be able to account for every thing in a manner at once satisfactory to your lordships, and honourable to the illustrious lady whose cause I advocate.

The House adjourned at the usual hour.

WEDNESDAY, OCTOBER 26.

Mr. *Denman* resumed. He returned to the examination of the evidence and dwelt with peculiar force upon the arts of the Milan commissioners, as proved by the

testimony of Omati and others; his conclusion was nearly as follows:

There is one topic on which it is impossible for me not to comment. The conduct of her Majesty has been said to furnish an inference in support of the charges. Let the defence stand or fall by that test; and I ask, whether it is possible for a person so degraded, in the first place, to have turned away all her servants, at the moment when they had possessed themselves of the most important and damning secrets, and afterwards to have proceeded in the low attachment, that disgusting debauchery, with an individual who had been elevated for the most criminal purposes, in defiance of all the principles with which human nature was ever acquainted? It is one of the consequences of such an infatuation that it destroys all worldly considerations—

"Not Cæsar's empress would I deign to prove."

And, if so, would her Majesty not have been willing to hide her head in any part of the continent, in the enjoyment of that luxurious profusion, in which she had been tempted, by offers from this country, to continue even with great splendor? Would she not have been anxious to retire to Pesaro, or to the Lake of Como, and there to expend on her favourite the vast income to be appropriated to her use? Is it possible to believe, that, after the loss of all that makes life dear and character valuable—after vice and profligacy had become her daily habits, that her Majesty would have sprung to this coun-

try, irritated and stung by nothing but this detestable accusation? Look, my lords, at the conduct of her nameless and unseen prosecutor, and then at the conduct of my illustrious client. For a series of years she has been the object of unceasing persecution. The death of her only daughter was immediately followed by this frightful conspiracy. The decrease of her last remaining protector, succeeded not long afterwards. It was announced to her, not in the language of kind respect, or even of decent condolence, but in a shape which forestalled the decision of parliament upon this great question. Cardinal Gonsalvi was the instrument of stripping her of her rank, and of depriving her of those honours to which her station in society laid claim. Her title as princess Caroline of England was stated in the face of her passport; and the first transaction of this new reign, in which even traitors were spared and felons pardoned, was the most illegal and unchristian act yet recorded in the annals of the British monarchy. To the Queen it is no new reign of peace and amnesty, but the commencement of a persecution in which malignity and falsehood were united for her destruction. Her name was excluded from the Liturgy; but, when it was forbidden that the prayers of the people should be offered up for her, their hearts made a full compensation for that odious exercise of unjust authority. Under such circumstances, what shall we say to the bill before the House? As a Divorce bill, it exists no more; the mere fact that the crime imputed was committed six years ago, dismisses it with contempt;

and the fact of the letter of licence, written so recently after the marriage ceremony was performed, is of itself an answer to any claim on the part of the husband. But it is a bill of pains and penalties—a bill of degradation, dethronement and disgrace; and if your lordships shall determine to proceed against this persecuted and injured woman, it is at your p—(pausing for a few seconds), p—leasure to do so. But sure I am, your honour as peers—your justice, as judges—and your feeling, as men—will compel you to take part with the oppressed, instead of giving the victory to the oppressor! I was about to observe that there were certain individuals who had not been called—simply for this reason—that our case is already proved. We have often heard of challenges and defiances; we have been told that Bergami might be called to the bar, to state that the whole charge was a fiction; but this is one of the unparalleled circumstances of this extraordinary case. From the beginning of the world no instance is to be found where an individual charged with adultery has been called to disprove it. Yet, for the first time, we are to be compelled to put him to his oath! The answer is in a word—there is either a case against us, or there is no case: if there is no case, there is no occasion for us to call this witness; and if there be a case, no man would believe the supposed adulterer, when he was put forward to deny the fact. In such a case, I firmly believe the feelings of mankind would justly triumph over the strictness of morality; and that a witness so situated would be held more excusable to deny upon his oath

so dear a confidence, than to betray the partner of his guilt. Surely, for the sake of dragging forward such a witness, the principles of our nature, and of the heart of man, are not to be repealed even upon this occasion, to which so many principles have been made the sacrifice. We have heard of the distinction between a queen of grace and favour, and a queen of right and law; but her Majesty has been taught, by bitter experience, the wider difference between a husband of affection and guardianship, and a husband of jealousy and persecution! After all ties, divine and human, have been broken upon his part, he still thinks it possible to exact, from the alienated and injured object before you, the most scrupulous attention, not only to the substantial virtues of her sex, but to the most insignificant appearances of feminine decorum. Let me ask you, then, what is it that can justify you in passing such a bill? Without looking to the principle, I say that there is not one page of evidence in this whole volume to warrant you in giving it your sanction. I know that rumours are afloat of the most injurious character. We have heard, and hear daily, with alarm, that there are persons, and these not of the lowest condition, and not confined to individuals connected with the public press—not even excluded from your august assembly, who are industriously circulating the most odious and atrocious calumnies against her Majesty. Can this fact be? and yet can we live in the world, and not know it to be a fact?*

* Mr. Denman during this part of

juryman, upon such an occasion, should be found to possess any knowledge on the subject of inquiry, we should have a right to call him to the bar as a witness. "Come forward," we might say, "and let us confront you with our evidence; let us see whether no explanation can be given of the fact you assert, and no refutation effectually applied." But to any man who could even be suspected of so base a practice as whispering calumnies to judges, distilling leprous venom into the ears of jurors, the Queen might well exclaim, "Come forth, thou slanderer, and let me see thy face? If thou would'st equal the respectability of an Italian witness, come forth and depose in open court! As thou art, thou art worse than an Italian assassin! because, while I am boldly and manfully meeting my accusers, thou art planting a dagger unseen in my bosom, and converting thy poisoned stiletto into the semblance of the sword of justice!"

—I would fain say, my lords, that it is utterly impossible that this can be true; but I cannot say it, because the fact stares me in the face; I read it even in the public papers: and had I not known of its existence in the dignity of human nature, I would have held it impossible that any one, with the heart of a man, or with the honour of a peer, should so debase his heart and degrade his honour! I would charge him as a judge—I would impeach him as a judge; and, if it were possible for one of the blood royal to descend to a course so disgraceful, I should fearlessly assert, that it was far

his address, looked steadfastly at the part of the gallery in which the duke of Clarence was seated,

more just that such conduct should deprive him of the right of his succession, than that all the facts alleged against her Majesty, even if true to the letter of the charge, should warrant your lordships in passing this bill of degradation and divorce. There are persons who have had an opportunity of reading a vast variety of depositions against the conduct of the Queen. To these noble individuals I may distinctly say, "You, at all events, must vote for an acquittal. I know nothing of the facts brought before your secret committee, but I know that it is impossible for any rational or honourable man to have presented such a case as has been proved at the bar, as a ground for degrading and dethroning the majesty of England." The facts proved before that committee must have been of a far more grave, more disgusting, and more infamous description; and whether they have been proved, or whether the witnesses, publicly examined, have not dared to swear up to their original depositions, I am confident that the committee never meant it to go forth, that a case not of key-holes and chamber-pots, but of notorious and undeniable guilt, ought to be the ground-work of this public prosecution. What the boatmen on the Lake of Como may have said to those who were gaping wide for slander, I know not; what reports may have been circulated by her enemies, I know not; what the result would have been, had the facts stated been established, I know not; but I do know, that they have not been proved—that they are false, calumnious, and detestable. I say one word more to your

lordships—I know that a supposition prevails, that a spirit has gone abroad, dangerous to the constitution and government. I have heard it said, that a spirit of mischief was actively at work, among the friends of her Majesty: but the same person who uttered that memorable expression, in a few weeks was obliged to admit that it was false, because the truth could not be concealed, that the whole of the generous population of England had enlisted themselves with ardor on the side of the innocent and the injured. At the same time, it is possible that both may be true; the sound and middling classes of society may feel acutely for the situation of her Majesty; and there may be, also, some apostles of mischief lurking in a corner, meditating a blow at the constitution, and ready to avail themselves of any opportunity for open violence. If that be so, the generous sympathy to which I have alluded would be aggravated by a verdict of guilty; while those mischievous and disaffected men would deprecate nothing half so much as to see your lordships in the face of the power of the Crown, venturing to pronounce a verdict of acquittal for a defendant so prosecuted. If your minds are satisfied that all that has been said is scattered "like dew-drops from the lion's mane," you will not hold yourselves justified in pronouncing a verdict contrary to the evidence, because your conduct may be imputed to the dread of a mob; or, to use the jargon of the day, which I detest, the apprehension of a radical attack. Before I conclude, I must be permitted to say, that during the whole of this proceeding the

highest gratification resulting to my mind is, that with my learned friend I have been joined upon this great occasion. We have fought the battles of morality, Christianity, and civilized society throughout the world; and, in the language of the dying warrior I may say,

“In this glorious and well-foughten
field

“We kept together in our chivalry.”

While he was achieving the immortal victory, the illustrious triumph, and protecting innocence and truth by the adamant shield of his prodigious eloquence, it has been my lot to discharge only a few random arrows at the defeated champions of this disgraceful cause. The House will believe me when I say, I witnessed the display of his surprising faculties with no other feelings, than a sincere gratification that the triumph was complete; and admiration and delight, that the victory of the Queen was accomplished. This is an inquiry, my lords, unprecedented in the history of the world: the down-sitting and up-rising of this illustrious lady have been sedulously and anxiously watched; she uttered no word that had not to pass through this severe ordeal. Her daily looks have been remarked, and scarcely even her thoughts escaped the unparalleled and disgraceful assiduity of her malignant enemies. It is an inquisition, also, of a most solemn kind. I know nothing in the whole race of human affairs, nothing in the whole view of eternity, which can even remotely resemble it, but the great day when the secrets of all hearts shall be disclosed!

“He who the sword of Heav’n will
bear

“Should be as holy as severe!”

And if your lordships have been furnished with powers, which I might almost say scarcely Omniscience itself possesses, to arrive at the secrets of this female, you will think that it is your duty to imitate the justice, beneficence, and wisdom, of that benignant Being, who not in a case like this where innocence is manifest, but when guilt was detected, and vice revealed, said—“If no accuser can come forward to condemn thee, neither do I condemn thee; go, and sin no more.”

THURSDAY, OCTOBER 26.

Dr. *Lushington* followed on behalf of her Majesty. He commenced by saying, he had been long conversant with cases of adultery; but one like the present charge he had never heard of. He did not speak of the power and influence of the party moving the said suit, nor of the peculiar nature of the tribunal. The first monstrous anomaly to which he would allude was the age of the party. No instance of a husband seeking a divorce from a wife at the age of 50 was, he believed, to be any where found. The next peculiarity to which he would advert, was the attempt of a husband to be divorced from a wife, from whom he had been twenty-four years separated by his own act, and for the gratification of his own appetites. What was to be found in the present case to take it out of the law which governed every other case of adultery? Was there one law for the prince, and another for the subject? Their

lordships might distinguish between them upon the provisions of human law ; but there was not one God and one divine law for princes and sovereigns, and another God and another divine law for common individuals. But it was not merely separation that had existed : it was something more that might be proved by the conspiracy of 1806, by the separation of the mother and daughter. What should be said of the husband who, not using the words of his learned friend, Mr. Denman—" go and sin no more," should say to his wife—" Go indulge your passions : here are means ; keep out of my presence, and nothing shall interrupt you." He was happy that he was not required to say one word on the ground of recrimination, and though he felt it his duty to say this much to show that, even if the grossest adultery had been proved, their lordships could not pass the bill before them without a violation of the laws of God and man ; he did not mean that his royal client was to be acquitted only on a point of law. He had stated the law to meet the objection which might be offered on the other side, but he would contend that, on the merits, the Queen's innocence was irrefragably established. Adverting to the use which had been made by the solicitor-general of the case of Loveden against Loveden, Dr. Lushington showed that the evidence in that case, though circumstantial and inadmissible in the courts of common law, was altogether above exception, consisting in fact of Mrs. Loveden's letter (which was described by sir W. Scott to be such as no woman could write who was not

prepared to enter a brothel). In the case of Mortimer and Mortimer, the same learned judge declared, that though he had a moral conviction of Mortimer's guilt, he had no such legal conviction as would justify him in pronouncing a sentence of divorce. He would admit that in this case there existed proof of the fullest opportunity, but opportunity without circumstances would prove nothing ; and who were the witnesses upon whose testimony the circumstances were attempted to be proved ? If he could show that Demont, that Sacchi, Restelli, and the other witnesses were perjured, he would ask, what number of perjured witnesses, one, two, three, or five hundred, would establish circumstances of guilt against a person otherwise unimpeached.

The learned advocate then proceeded with a minute examination of the witnesses.

FRIDAY, OCTOBER 27.

The *Attorney General* replied at great length. He commenced by a series of efforts to reconcile the contradictions alleged by the Queen's counsel, to have been advanced by the witnesses for the bill. He then observed upon the difference between Mr. Brougham's statement, and the case for the defence, as established in proof ; and applied in detail, such of the evidence for the bill, as either stood undisputed, or was in his judgment ineffectually contradicted. Having then vindicated the veracity of the witnesses for the bill, in an elaborate and exceedingly able argument, he went once more over the history of the Queen's

conduct during the three years, to which the evidence related, observing as nearly as possible, the chronological order. Having passed through all her majesty's previous acts, and travels, he arrived at length at the return from Jerusalem to Capo d'Anza, which, from an early period of the trial, had become the topic of greatest interest. Speaking of the part of the journey which was made by land, 'What (said the learned attorney-general) is the case? They travel by night, and encamp by day. We have heard a great deal of the necessity of her having male attendants near her, for the purpose of protection; but upon this occasion, not satisfied with Majoochi and Carlini, who lay outside, Bergami himself constantly reposed under the same tent; she wanted no male protector. And yet you hear it argued at this time of day, that there is no harm, no suspicion, from a lady sleeping in the same room with a menial servant, exposed to all the indelicacies which must occur during such a repose. And we are now to argue, and it is gravely argued out of doors, that that upon which your lordships have divorced and degraded female after female, is no evidence against a princess, because there is a possibility, that an illicit intercourse may not have taken place. My lords, if you listen to this, you must repeal those divorce bills; you never can divorce persons upon such grounds again; it must go forth as your decision, that a woman of rank may sleep night after night with a male attendant. And your lordships are to proclaim, that this may be done with innocence, with purity, and that

hereafter women may sleep night after night with their menial servants close to them, because there is no evidence that they were undressed, and because there was another bed in the room. [The attorney-general here quoted a passage from Dr. Holland's travels, to show that in the Levant and its neighbourhood, "the sofas of their living apartments, are the places of nightly repose with the higher classes," and that "neither men nor women take off more than a small part of their dress;" he then proceeded with his argument.] Why, my lords, in that country, where you hear it is not the habit to undress, where sofas and beds of the description that her majesty had, are the common places of repose, you are gravely asked to infer no guilt, nay, no suspicion against the Queen, for having reposed nightly with her favourite Bergami, because, forsooth, she occupied a travelling bed, and he a sofa. No cause is assigned for this arrangement, because there is the strength of the case against her majesty; their case of protection fails them (during the land journey); the countess of Oldi might have slept in the tent, Mariette might have slept in the tent, or Bergami might have slept in the outer tent. The fact of the Queen thus sleeping under the tent alone with Bergami, at a time when no reason could be assigned for it, would by itself be sufficient to establish a verdict in Westminster-hall. Yes, this single fact would be more than sufficient; but when you add the other circumstances, undisputed and uncontradicted in the case, it strikes me, that no man can for a moment hesitate to decide, that it

is conclusive and satisfactory proof of adultery.

If that be so with respect to the Aum case, what shall we say to the case now established in proof on board the polacre; that case which they have been unable by any evidence to shake, or by any observation to destroy? The attorney-general here argued in justification of the large sums paid to Gargiulo and Paturzo, and cited the example of the witness from Morje in Switzerland, who had received 70*l.* from the Queen, besides a deposit of 100*l.* at a banker's, and expectations. The cohabitation on board the polacre was, he contended, abundantly proved by these witnesses, and did not, as was pretended, rest upon the belief of Mr. Hownam. But if these witnesses swore falsely, he asked, why were they not contradicted? They deposed to acts and orders of Schiavini's, confirmatory of the presumption of an adulterous intercourse. Why was not Schiavini produced? Mr. Williams promised to prove that other persons slept under the tent besides the Queen and Bergami. Why is not the countess Oldi produced, if she was one of those persons? No; Mr. Flinn having broken down, and Mr. Hownam having proved the case for the bill, the Queen's counsel were tired of their witnesses; they then make a diversion; they call for Restelli, and for five or six days nothing was heard of the case; and neither Schiavini, Carlini, the countess Oldi, Mariette, nor Hieronimus,—every one of whom could have spoken to the transactions on board the polacre—are called; they are kept snug at Brandenburgh-house. "And my learned

friends," continued the attorney-general "find fault with us for not calling witnesses. We have called five witnesses to the fact; they have not called one to contradict it, when, if it were false, they might contradict it by an equal number, not one of whom they produce. The absence of that contradiction proved the evidence of the witnesses for the bill on this point; and if this part of the case is proved, there is an end of all cavil, all doubt, all hesitation upon the subject, because, whatever other parts of the case are affected, this stands; and if so, it adds the greatest confirmation to all the other parts of the case; for undoubtedly, if adultery was carried on, during five weeks, on board the polacre, there is an end of the improbability of its continuing elsewhere. Need I say one word more of the polacre case?

SATURDAY, OCTOBER 28.

The *Attorney General* resumed. He proceeded with the evidence subsequent to the voyage from Palestine. In allusion to the evidence of Sacchi, and an observation of Mr. Brougham upon the newly-born liberality which would claim a greater share of credit for him, because he served and was promoted in the army of Buonaparte, the attorney-general observed, that persons dealing in general sarcasm, were sometimes in danger of hitting themselves or their friends; "for my lords," said he, "singular enough it is, that her majesty—undoubtedly, I cannot suppose from any preference she could entertain for such persons; no, my lords, she was born and bred in a country, and she was united to a prince, whose

efforts have been to repress that ambition which threatened the ruin of her native country, and of that country to which she was allied by marriage—but singular enough it is, the character of a soldier of Napoleon is not confined to Sacchi. The favoured Bergami was also a soldier of Buonaparté; Vassali, her equerry was advanced to the order of the Iron Crown, a fact brought out by my learned friends to grace their case; Olivieri was also a soldier of the same army; and I find that her majesty, not of course from any esteem she could have had for the bitterest enemies of this country, thinks it proper, as a British princess, to give a masked ball to one of those enemies, and to personate the Genius of History, in order to crown his bust with laurel, who had been one of the leaders in that conflict in which her dearest relatives had bled, and in which the treasure and blood of the country to which she was then on the threshold of becoming Queen, was spent, to prevent the constitution of the country, as it now exists, from being destroyed.”

The attorney-general then proceeded with the remainder of the evidence on both sides, and repeatedly taunted the Queen’s counsel with not having produced their promised witnesses; the persons who were to contradict Majoochi in Gloucestershire; the Jew harper, as to familiarities with whom, Demont had been cross-examined; the countess Oldi, Mariette, Schiavini, Carlini, Hieronimus, &c.; but above all, he asked, why was not Bergami himself produced; of the importance of his testimony there could

be no second opinion, and his competence was fully established by the examination of major Hooke, in Campbell’s case, 1799. In conclusion, the attorney-general said, “The result to which the whole body of evidence, I think, leads, is a verdict of guilty. If your lordships shall be of that opinion, I am sure you will pronounce it with firmness. It will be satisfactory to your own consciences, and sooner or later it will be satisfactory to the country.”

The *Solicitor General* followed on the same side. He went over the same ground as the attorney-general, and analysed and compared the evidence on both sides with equal minuteness. He ridiculed the argument of innocence which it had been attempted to draw from the Queen’s not being undressed when she lay in the tent with Bergami; according to this argument, what was to become of the population of the whole East? Even in our own cold climate it had been remarked of the petticoat on the one side,

“Oft have we found that seven-fold
fence to fail,
Though stiff with hoops, and armed
with ribs of whale.”

On the other, the Grecian robe,

“The leathern outside, boisterous as
it was,
Gave way and bent beneath her strict
embrace.”

The solicitor-general then recurred to an argument previously used by the attorney-general, namely, what must have been the situation, and what the mutual reflections of the Queen and Bergami in the tent at Aum, and

in that on board the polacre? This man, formerly a serjeant of dragoons, a courier, raised, elevated; a person such as he had been described, lying side by side with her majesty, what must have passed in their minds? what must her Majesty have felt? Must she not have been struck with the extraordinary indecency of such conduct, to say no worse? A woman of ordinary delicacy, a woman of no delicacy, a mere worm, must have felt that situation. My lords, if that be true, to what conclusion does it lead? That she could submit to that situation only from one motive, only from connexion, from one desire, to gratify one insatiable passion, the direct evidence is strong; the moral evidence is, if possible, more cogent and conclusive.

MONDAY, OCTOBER 30.

The *Solicitor General* resumed, and continued his argument at great length. When he had concluded, Mr. Brougham proposed to read two letters just received by him, which would fully explain why he had not called Hieronimus and Mariette Brun: he proceeded to state the substance of the letters.*

* They were as follows :

Rome, Feb. 24th 1819.

Monsieur,—Persuaded of your amiable compliance, of which you have already given convincing proofs, I am induced, Monsieur, to ask of you a favour.

“I should wish that the inclosed letter, written by the former Swiss femme de chambre, mademoiselle Demont, to her relation, who is still with the princess (and who in the address is

The attorney general objected to the producing of letters after the reply, which would not have been evidence at any time.

Mr. Brougham replied—A debate followed, in the course of which, the lord chancellor, earl Grey, lord Holland, earl Grosvenor, and the marquis of Lansdown opposed the motion for receiving the letters, which was supported by the duke of Hamilton, and the earl of Carnarvon. On a division, the motion was rejected by a majority of 145 to 16.

THURSDAY, NOVEMBER 2.

[The evidence and arguments of counsel being concluded, their lordships proceeded to discuss the question of the second read-

called Mariette Brun, but who, I believe, is also called Demont), may be delivered according to the direction which I have received, that is to say, into her own hands, without the knowledge of the princess and her confidants, who intercept all the letters addressed to the persons in her suite.

“You will doubtless find the means of causing the letters to be delivered to Mariette, without her knowing that the authorities of Pesaro have had the care of it, and also without her being made acquainted that it has passed through my hands. It would be well, perhaps, to induce her to suppose that the letter has been sent from Bologna. The person who delivers it may offer to take care of her answer, which you will transmit to me, and which will pass to its address.

“What are you doing at home? I have no doubt of the trouble which is caused to you by the fatiguing visit of the princess.

“Induce her, therefore, to embark, and try to persuade her that it is absolutely false that messieurs the English propose to come to find her out at Pesaro. I learn that this supposition in-

ing. A reference to the series of dates through which this discussion was continued, will furnish an adequate idea of the length at which the noble lords delivered their respective opinions. In a work of this nature, it is of course impossible to give more than the substance of each peer's decision upon the great question at issue; where an unequivocal and implicit opinion can be deduced from the masses of complex reasoning, of which many of their lordships speeches were composed.]

The *Lord Chancellor* spoke at

no great length; he stated at the outset, that no man could consistently vote for the second reading, who did not think that the substantial facts of the preamble had been satisfactorily proved. He concluded by declaring, that, taking all the facts into consideration, the tent at Aum, the polacre, the transactions at the Barona, the Villa d'Este, Catania, Carlsruhe, and elsewhere; recollecting the rapid promotion of Bergami and his family, and their having been all brought about the Queen's person, with the excep-

duces her to defer her departure; and I believe, that from this consideration she may remain a long time.

"Be assured, Monsieur, how much I am sensible of all the steps you have taken, and believe me with sentiments of the most perfect esteem, your very humble and obedient servant.

"F. OMPTEDA, Minister of Hanover.

"P. S. Is the maître d'hôtel, Hieronimus, still with the princess, and do you think that he continues attached to her?"

"A Monsieur—Monsieur le Chevalier Bisch, Director General of the Police, Pesaro.

"*Rome, March 6th 1819.*

"Monsieur,—I have received with much gratitude your lines of the 28th, and I infinitely regret the embarrassment and the difficulty which the complaisance I asked of you has involved you in. I hasten in consequence to inform you, that I decide for the measure which you propose of confiding the letters to a person of your acquaintance, who will deliver them to mad. B. without any other secrecy than avoiding the delivery of the letter being witnessed by the family of baron ——. Should, however, Hieronimus see it, I do not think there would be any great danger; the essential point is, that the demoiselle should be informed of the contents. If, notwithstanding, by means of stratagem or

treachery, the princess should become acquainted with it, the misfortune will not be very great. This inconvenience, however, must be endeavoured to be avoided as much as possible. I only desire that the person whom you may choose to execute the commission, should be adroit enough and inspire sufficient confidence to induce the transmission of the answer which mad. D. may give to the letter in question, and with regard to which, I should wish much that it may pass through my hands.

"It seems to me, that the attempt of the English at Milan rests upon a very erroneous conjecture. Pray tell me what you think of the disposition of M. Olivieri with regard to the Princess whom he quits. What must be thought of M. Vassali? I learn also that several new Roman domestics have been hired, whose names I should be curious to know. Excuse all the trouble which I give you; I cannot enough assure you how much I am grateful for all the proofs of your zeal, and of the complaisance of the person who has obtained for me such interesting information.

With sentiments of the most perfect esteem, I have the honour to be, monsieur, your very humble and obedient servant,

"F. OMPTEDA.

"Monsieur the Chevalier Bisch, Director-general of the Police, Pesaro."

tion of his wife, he could not withdraw himself from the imperative duty of avowing his conviction that an adulterous intercourse had taken place.

Lord *Erskine* spoke shortly also. He opposed the bill first on the ground of its inexpediency; and secondly, because he thought the allegations of the preamble were not supported by sufficient evidence. The whole case against the Queen had dwindled, he said, into her sleeping under the same tent with her chamberlain, on the deck of a small polacre, during a short voyage in the Mediterranean. [Lord *Erskine* was interrupted by a sudden indisposition, an attack of cramp in the stomach, as it was understood.]

The Earl of *Lauderdale* spoke at great length, and recapitulated nearly the whole of the evidence on both sides; commenting upon it as he went along, he expressed a decided opinion of the Queen's guilt, and concluded by complaining of the arts used out of doors, to blacken the characters of those who thought with him, and honestly avowed the conviction of their minds: among other falsehoods employed for this purpose, he cited a rumour of himself being about to proceed to India as governor-general, upon the faith of which, a gentleman had solicited permission to attend him as his body physician.

The Earl of *Rosebery* said, that he had considered the proceeding by bill improper, but he was prepared to surrender his private judgment upon this point, had a clear case (such as would satisfy his own mind, and eventually public opinion) been made out against the Queen. But when

there was such a mass of contradiction, so much of the evidence for the bill tainted by perjury, or supported by those whose credit was entirely overset, and when so strong a suspicion lurked of improper practices having been used to obtain witnesses, he could not, as an honest, conscientious juryman, pronounce a verdict of *Guilty*.

Lord *Redesdale* went through the evidence, professed a conviction of the Queen's guilt, and defended proceedings by bill, in an elaborate argument.

FRIDAY, NOVEMBER 3.

Earl *Grosvenor* solemnly declared before God and his country, his decided opinion, that any thing in evidence before them did not substantiate the cruelly accumulated charges against the Queen: he then argued at some length in support of this opinion. In advert- ing to the circumstances which led the House into this inquiry, he said he had heard it rumoured (and such rumours were always indecorous), that his majesty, and not the ministers, had urged the omission of the Queen's name from the Liturgy. Whether this was true or not, he knew not (for these rumours were but too often spread by the partizans of ministers, to save them from reproach at the expense of their master); this, however, he would say, that if in the situation of archbishop of Canterbury, who must in this first instance, be made responsible to the country for the omission, he had been desired so to act, he would have thrown the book in the King's face, before he would have given his sanction to an act so contrary

to law, to humanity, and justice. The noble lords opposite should have trampled the seals of office under their feet, before they should have given their consent to the bringing this measure before parliament.

The Earl of *Harewood* said, that the impression upon his mind was, that much of the evidence had been contradicted, that much of it stood on loose ground; but other parts of it, he was sorry to say, stood on firmer grounds. Respecting foreign evidence, however, a degree of doubt must arise in the mind. He wished he was as clear as to the perfect innocence of the Queen, as he was to the impolicy of passing this bill.

The Earl of *Donoughmore* declared, that in considering the case, he did not place any weight on the evidence of Majoochi or Demont; he said nothing of Sacchi, nor the execrable witness Cuchi, nor would he rest on Barbara Kress, both on account of the manner in which she had been brought to give her evidence, and from the manner in which a witness who was summoned to contradict her, had been subtracted. He then went through the evidence of the other witnesses, which, he contended, established fully the guilt of the Queen. In conclusion, he complained of the extraordinary licence used by the Queen's counsel; and with reference to Mr. Denman's allusion to Nero, asked, was ever libel the most gross and pointed on any former occasion, admitted as a legitimate means of defence in the hands of an advocate?

Earl *Grey* said, that though on the ground of expediency, he had felt it his duty to deprecate the introduction of the bill, he

was nevertheless resolved (the bill having been read a first time) to vote for it, if the case had been clearly proved against the Queen, rather than allow her to occupy the throne with a character so tainted and stigmatized by the establishment of such charges as must serve to degrade the dignity of the Crown, and the honour of the country. His lordship then read the preamble of the bill, saying such was the case he expected to have proved, and avowing that he could not reconcile it to his judgment to vote for the bill if a case were made out of simple adultery; he then asked, whether if it had been anticipated, that the attorney-general's statement would have failed in proof, on so many points as the scenes at Genoa, Naples, the Villa of general Pino, Trieste, Scharnitz, and the many other filthy and bestial acts described, the papers would have been ever laid on their lordships table? He admitted, that the circumstances attending Bergami's elevation were suspicious; but when it was recollected, that sovereigns are so much exalted above the generality of men, that, like persons looking down from lofty mountains, the just proportion of those beneath them are lost and confounded, there is no reason for astonishment at any selection they make. If the evidence of Majoochi, Demont, and Sacchi was credited, there was indeed an end of the case; but the assertions of these witnesses had been given up by all the noble lords who had spoken, except that the lord chancellor adhered to the case of Catania, which rested on Demont's testimony alone: without these witnesses there was

no proof of any offence. He asked, was there ever an instance where witnesses so damaged as not to be entitled to credit separately, had been clubbed together, and by this consolidation, a conclusion come to against an accused party. "Show me," (said sir William Scott," continued earl Grey), "in the case of Evans and Evans, that a crime has been committed, and I shall not be at a loss to fix the criminal, having then an actual *corpus delicti*." His lordship then applied himself to the evidence, and defended the Queen's counsel for not producing all the evidence in their possession. Demont had not, he said, sworn positively as to the presence of her sister Mariette, at the occurrence at Catania. What then would have been the use of calling the latter? The evidence of the countess Oldi, upon this particular subject, could not have been conclusive, because it might have been urged, that the Queen stole from her room in the night, or that the countess was placed there to forward the intrigue; then if these witnesses had been produced, they would have been open to a cross-examination as to every fact witnessed, or opinion expressed by them during six years; and if either of them was caught tripping in any particular, she would be treated as wholly unworthy of credit. Another, and a sufficient motive for withholding many of the persons who had been pointed at as proper witnesses for the Queen, was to be found in the attempt made to bribe her servants. With respect to Majocchi, besides the mass of his incredible non-recollections, he could cite six or seven direct contradictions in his testimony [his

lordship referred to some of them, but rather generally.] Demont stood convicted on her own confession of falsehood, and of a criminal connexion with Sacchi.* She was convicted of falsehood in her evidence, as to the dressing for the masked ball, and the other transactions at Naples, upon the testimony of two witnesses above suspicion, sir W. Gell and Mr. R. Craven. The evidence of Sacchi was completely overthrown by that of Olivieri and Carlo Forti. He had little doubt, that these two persons, Demont and Sacchi, were the authors of the charges against the Queen in revenge for their dismissal from her service. His lordship then went minutely through the evidence of the witnesses who had deposed to detached facts: he now came to that part of the case which required the most serious attention, namely, the transactions on board the polacre. The facts proved as admitted on this subject, were that during five weeks the Queen and Bergami slept under the same tent, but without mystery or concealment. Would they be justified in deducing a verdict of guilty from this fact, if it were a common jury case? He thought not. It was not the case of a man secretly entering a woman's room by night, while she was in bed, and sleeping there.

He admitted it to be a circumstance of a suspicious nature, for which, the reasons assigned were not satisfactory, yet, it was a circumstance, which, considering the Queen was placed on board the vessel, in a situation where the most modest female must frequently re-

* Query in what part of the evidence.

signall ideas of delicacy, might have been consistent with perfect innocence. In the charge with respect to the polacre, there was one great deficiency, namely, the absence of any evidence respecting the state of the bed-linen; that evidence might have been furnished by Demont, in whose charge the linen was, and who had manifested no reluctance to give evidence with regard to stains upon bed-furniture. Earl Grey then argued the question of expediency at great length, contending, that had even a case of simple adultery been proved (which he persisted in denying), not one word of evidence had been adduced to establish the case of open and notorious scandal, which only could justify the passing the bill. He had heard, he said, that learned judges had been quoted as having given an opinion that with the evidence before them which had been brought forward on the present occasion, they must charge a jury to find a verdict of *Guilty*. He had also heard, that an expectation had been held out, that if the bill were but read a second time, it might afterwards be got rid of. He was sure the noble earl opposite (Liverpool) would never become a party to such a compromise; for his own part, he thought, that should the bill be read a second time, it would be a less evil to pass than to reject it; let it be read a second time, and the whole mischief will be done; for, by the second reading, the House would affix a stigma upon the Queen's character, which no ulterior measure could efface. As to the proposed omission of the divorce clause, he thought that there could be no greater legislative absurdity than

to degrade the Queen for scandalous and licentious conduct, and still leave her the wife of the king. In conclusion, he acknowledged that his prejudices and impulses had been quite unfavourable to his present conviction. He hardly conceived it possible that a case would not be made out which would compel him to vote for the bill; but such a case had not been made out; and first on the ground of justice, and secondly on the ground of expediency, he felt that if he were to vote for this bill, he should never lay his head upon his pillow in peace.

The Earl of *Liverpool* commenced with a reply to earl Grey's question, whether, had he anticipated the discrepancy between the attorney-general's speech and the evidence by which it was followed, he would have laid the papers out of which this bill arose on the table. He begged to observe, that before the case had been opened, he stated, before persons of whose authority the noble earl would not think lightly, that in his (lord Liverpool's) opinion, two views might be taken of the best mode of proceeding; one, that which had been actually adopted by the attorney-general, namely, to bring forward the whole testimony tending to demonstrate the culpable intimacy so long subsisting between her Majesty and Bergami; the other, that of resting the bill upon a shorter and narrower case. He would not be understood as preferring the latter course; but he mentioned the circumstance to show that he had in fact contemplated a second view of the case. At present, he was perfectly ready to discuss the question upon the evidence before the

House. He was ready to admit that there was a great mass of contradictory testimony, but he asked if there ever was a case in which the interests and passions of men were excited, that did not exhibit a great mass of contradictory evidence? He might refer to the Douglas and Anglesea cases for proof of this rule. The reason of which was, that even where there was no ground for imputing deliberate or intentional perjury, witnesses in such cases necessarily became partisans; each coloured his story according to the bias of his mind. This was an evil for which he was perfectly ready to make allowance, and to reject much of the evidence, not because he necessarily disbelieved it, but because wherever a doubt had been raised upon it, he thought the accused fairly entitled to the benefit of that doubt; he would even go farther and say, that in his opinion this case ought to be decided only by the uncontradicted and uncontroverted facts brought before their lordships. If he could not show by uncontroverted and uncontradicted facts that the adultery had been committed, he would consent to give up the bill altogether. It had been said by one noble earl (Grey), that a case of this kind ought to be tried upon the evidence of respectable and uncorrupted witnesses, — persons whose situations in life, would not render them liable to the suspicion of being unduly influenced. Another noble earl (Harewood) expressed a wish that the witnesses had been *English*; so did he (lord Liverpool) wish; and so doubtless did all their lordships; but he would ask, might not both be rendered

impossible by the conduct of the accused party? If her Majesty chose to reside abroad, and surround herself with foreigners, if, with a single exception, she had no English person near her, how was it possible that she could be tried on the evidence of English witnesses; in the same manner, if she separated herself from all the higher ranks of society, and took into her household only persons of the lowest rank and character, it was an insult to the understanding to require that none but respectable witnesses should be produced at the bar. If her Majesty placed herself in a situation where she was surrounded by persons not of that description, their lordships must take as evidence (though with caution) those by whom she was in fact surrounded. It had been also alleged, and with some degree of truth, that most of the charges against the Queen rested upon the evidence of servants who had been dismissed, or who had retired from her service. Now this was unquestionably the natural evidence to be expected under the circumstances; from the mouths of servants still retained even under the supposition of the existence of guilt no criminatory evidence could be fairly looked for. Doubtless the truth of the case might have been more easily developed, if the persons capable of giving evidence, as to the Queen's conduct, who continued in her Majesty's service, had been produced in her defence; and this was to be said in favour of the case for the bill, that all who had left her Majesty's service were produced in its support, while, with a single exception (Mr. Hownam), none

of those who remained in her service was called in the defence. As to the bias which the circumstance of dismissal from or continuance in the Queen's service might be supposed to have on the minds of the witnesses, he would take as an illustration the evidence given by Demont and Hownam; the former probably actuated by strong prejudices against her royal mistress, the other bound to the Queen by every obligation which one human being could owe to another; yet comparing and contrasting the testimony of those two witnesses, he would venture to say, that in every material circumstance in which they could confirm each other, they did confirm each other, and led to the same conclusion. His lordship next proceeded to comment upon the testimony of the different witnesses. He began with the sudden elevation of Bergami. He did not advert to the transactions at Naples as proving any act of adultery committed in that city, though he was not without suspicion, but as proving her manner towards her servant Bergami; and their lordships could not forget that her conduct was such in this particular as to require, in the opinion of one of her vice-chamberlains, an admonition on his part. He next referred to the mysterious introduction of the countess Oldi, a woman who could speak no French, while the Queen was equally ignorant of Italian; her relationship to Bergami was kept a secret from the whole household, even from Mr. Hownam, the confidential private secretary. This could be only reconciled with the existence of a powerful attachment between her Majesty and

Bergami, between whom the countess Oldi was to form the convenient and connecting link. The inclusion of Bergami's whole family in the Queen's household (with the marked exception of his wife, who was never even seen in her majesty's house) tended irresistibly to the same conclusion. His lordship next analysed the merits of Bergami as they had been proved in evidence, and compared with them the titles and other favours by which they had been rewarded. From what danger had he protected his royal mistress? The only danger that ever offered was at the attack of the house at Genoa: on that occasion it was not Bergami, but Theodoro Majoochi who protected her. As to what occurred at the Villa-Villani, it could not have been the motive for Bergami's promotion, because it was not known to the Queen until after the long voyage. Even in the institution of her order of knighthood, the Queen had shown her preference for this man. His "*children*, whether male or female, were to succeed to this order, and wear it from generation to generation for ever;" while in the case of her Majesty's protégé, William Austin, the honour was strictly confined to his legitimate children, a distinction from which might be gathered the religious and moral character of the institution. What did all this prove, but that the Queen cherished an infatuated passion for this favoured person; and he (lord Liverpool) wished no man to vote for the bill who did not believe that her Majesty embarked on board the polacre under the influence of that infatuated passion. He then adverted to

another proof of the adulterous intercourse, the constant creation of opportunities, by the juxtaposition of the sleeping apartments of the Queen and Bergami; in cases, too, in which no danger could be apprehended. Lord Liverpool returned to the evidence of Majoochi and Demont, which he could, he said, not exclude where it was confirmed by other testimony, or where it might have been contradicted by the evidence of witnesses in the Queen's power to produce. The last he thought a stronger corroboration of evidence than mere confirmation, which might be the result of combination; whereas the absence of a contradiction, which must have been forthcoming if the witnesses statements were untrue, was a corroboration open to no objection. There were two other circumstances relative to her Majesty's embarkation on board the polacre to which he called their lordships' attention: first, the departure of all her Majesty's English suite within a few weeks; he had no doubt the individuals who had assigned reasons for their leaving the Queen's service, believed they were speaking truth; but under the influence of complex motives, men are apt to mistake that from which they act, and the coincidence was very remarkable. Dr. Holland, it appeared, went upon the Queen's suggestion, and her old and faithful servant Sicard (who, indeed, withdrew upon his own motion) was five years uncalled for, though prepared to attend the Queen at a moment's warning. The other remarkable fact was, that of the Queen's English suite; those were called who had been the shortest time in the Queen's

service. There was lady Charlotte Lindsay, who had been 24 days in the Queen's service; but they had not seen lady Elizabeth Forbes, who had been with her Majesty four months; nor lady C. Campbell, who could speak to more than 40 days; nor Mr. Burrell, who could have spoken to later facts in the Queen's conduct than most of the other witnesses.

SATURDAY, NOV. 4.

The Earl of *Liverpool* resumed his argument. He would return to the case of the polacre, and, in the first place, he would point their lordships' attention to the manifest and conscious reluctance with which Hownam gave his testimony upon the subject. He would maintain that the futile pretence of danger had been utterly exploded; that if danger existed from the unsteadiness of the ship's motion, Bergami was, of the whole ship's crew, seamen or landmen, from his great size, the most unfit person to afford the Queen any assistance; and he would put it to their lordships, whether 35 nights' cohabitation between a man and woman uncompelled (and this was a case where the Queen was mistress of the vessel and all within it), could admit of any but one of two interpretations, namely, either that adultery had been committed during that cohabitation, or that it had been so often committed before as to leave the parties without the passion to commit it. But it was not only the tent at sea, the cohabitation in the tent at Aum afforded precisely the same inference. It had, indeed, been said that in the latter case the Queen was in a state of ex-

treme exhaustion from fatigue; upon this, he would only observe that no woman—he would not say no woman of delicacy—but no woman whose feelings were not of the grossest character, would select as the companion of her retirement, on alighting from a long and fatiguing journey, a man, unless that man stood in the relation of a husband. Were there not circumstances that must have occurred, that no woman could have endured a man standing in any other relation to witness? He perfectly subscribed to the doctrine, that if their lordships believed that the Queen stood indifferent to Bergami at the moment of embarking on board the polacre, the circumstances which took place on board of that vessel would, however suspicious, scarcely warrant a conviction. But had they not decisive proof, that the Queen was vehemently in love with this man before that embarkation; and he would say, that in his mind the combination of all circumstances offered not merely a moral demonstration, but a clear judicial proof of the Queen's guilt. He would shortly refer to the case at Carlsruhe, and he would call to their lordships remembrance the artless candid manner in which Kress gave her testimony, and he would insist that unless their lordships were prepared to believe according to Vassali's evidence, that during ten hours the Queen did not retire to her room for a moment, they must believe Kress uncontradicted. His lordship then went through the remaining part of the evidence. He would press upon the House that having at length arrived at an unequivocal proof of the Queen's guilt, they had no

choice but to pronounce that decision with firmness. It happened, that in common cases persons accused might escape through accident or favour to technical rules, though guilt was apparent, and this without any serious evil. Such persons so acquitted fell back into the mass of society without any compulsory claim to respect, which could avert the sentence, that public opinion would inevitably pronounce upon them; but if, in the present case, they believed the Queen guilty, they would send her confessedly stained with the foulest criminality, to assume the style, title, and prerogative of Queen of England.

Lord *Arden* lamented the introduction of this bill, and he solemnly deprecated a perseverance in it. For his own part he would never give his vote for an act, which was to consign a member of the House of Brunswick to everlasting infamy.

Lord *Falmouth* declared, that though the evidence left upon his mind, no doubt of the Queen's guilt, he would not allow that her rank should deprive her of her rights as a married woman; he, therefore, would not vote for a divorce, which no court of law would sanction; and unless ministers gave him a pledge that that clause should be dropped in the committee, he would vote against the second reading.

Lord *Harrowby* intimated that that clause might be abandoned.

Lord *Ellenborough* said, he had voted for the introduction of the measure, he would now vote against any further proceeding upon it. He subscribed to the maxim quoted by the noble lord on the woolsack, "be just and

fear not," but he would add, "be politic as well as just;" he also agreed in the doctrine laid down by another noble lord, that "no peer could vote for the bill who did not think the Queen guilty;" and to this also he would make an addition, that many might vote against the bill who did not think the Queen innocent. He could not declare her Majesty innocent—he was unwilling to declare her guilty. He did think that the fact of her guilt had been clearly proved by evidence at their bar. No man, however, who had heard the evidence at their lordships' bar—no man who had known, seen, and heard, what every man in the world must have known, seen and heard, respecting her conduct—no such man would say that the Queen of England was not the last woman in the country which a man of honour would wish his wife to resemble, or the father of a family would recommend as an example to his daughters [Loud cheers]. No man could put his hand on his heart, and say that the Queen was not wholly unfit to hold the situation which she holds. It was for the safety of domestic virtue that conduct like her Majesty's should be marked as infamous, ignominious, and base. There was a mode of proceeding against her which would produce the desired effect, without having recourse to a Bill of Pains and Penalties. They might address the Crown on the improper conduct of the Queen—a mode of proceeding that would be consistent with the justice and expediency of the case.

Lord *Ashburton* said, that the evidence by no means sustained the charges against her Majesty.

Lord *Erskine* spoke at great length—he said that if her Majesty had been really guilty, no false testimony could exist; the presence of falsehood predominating among the prosecutor's witnesses was an irrefragable proof of a malicious prosecution. His lordship then minutely examined the evidence for the bill. "As to the alteration of the preamble in the committee," said he, "I cannot comprehend what is meant by it; I must vote upon the proof of it as it is; and even if I believed the adultery, I can find no proof of public licentiousness to bring scandal and dishonour on the country, which is the charge in the bill as it now stands. As to the proposed mitigations, if I were in the Queen's situation, and you had convicted me, on such evidence, of adultery, I would cast the mitigations in your face, and appeal to the representatives of the people."

Lord *De Dunstanville* read a number of extracts from the minutes of evidence to justify his decision in favour of the bill.

Lord *Manners* spoke in favour of the bill. His lordship took a review of the evidence, in which he alluded to the statement of Mr. Craven, that he had cautioned her royal highness to take care how she conducted herself with respect to Bergami; and to the statement of captain Briggs, as to the declaration of Mr. Hownam, who had said, that on his knees, and with tears in his eyes, he had implored her royal highness not to admit Bergami to her table. The resistance to those entreaties was, he contended, a conclusive proof of the ungovernable passion which she felt.

The Duke of *Newcastle* said, he had been prevented by do-

mestic business of a very pressing nature from attending in his place until Wednesday last, but he had read over the whole of the evidence with all the attention in his power, and he felt that he was as capable of pronouncing a verdict in the case as if he had been present during the whole of the proceedings. His opinion was, that the Queen was clearly, indisputably, and incontestibly guilty, not only of the alleged adultery, but of conduct in other respects disgraceful and degrading.

The Marquis of *Lansdowne* then rose, and with a considerable degree of warmth observed, that the explanation given, however it might justify the noble duke in his own opinion, was not of a nature to satisfy the public mind as to the propriety of his interference. His lordship then proceeded to consider the case, which he did at some length. With regard to the transactions at Catania, he certainly should have been better satisfied, if the countess Oldi or Mariette had been called to contradict Demont, but it should not be forgotten (though he believed it had not been noticed before) that Demont had essentially contradicted herself with regard to the dress of the princess, and that contradiction undoubtedly tended, independent of other circumstances, most materially to weaken her evidence. He then came to what was considered as the strongest point against the Queen, by those noble lords who supported the bill; he alluded to what had taken place on board the polacre; and here he could not help regretting, that her Majesty should have placed herself in a situation in which, though in his mind there was no sufficient proof of her guilt to au-

thorize the passing of the present bill, yet it was impossible for her Majesty to prove her innocence. Still he could not bring his mind to the conclusion, that any facts were clearly established, which could in any degree authorize the passing of the present bill.

MONDAY, NOV. 6.

The Marquis of *Lansdowne* resumed. He went through the evidence minutely. He implored their lordships not to pursue a course so fatal in every view in which it could be contemplated. In a few hours they would have to decide, whether a measure, teeming with pressing evils, and so likely to lead to future mischiefs, and the ultimate passing of which was so generally doubted, should have their names eternally and inseparably connected with it. Would their lordships consent to send down their names inscribed on a record, which sought the degradation of a Queen, on a mere presumption, they themselves creating the very law by which they meted out such punishment.

The Duke of *Northumberland* said, he considered that the allegations contained in the preamble of the bill were satisfactorily and substantially proved.

Lord *Howard* declared that he must vote against the bill.

The Earl of *Enniskillen* said, that he had closely attended to the evidence; he thought it such a mass of contradictory and suspicious testimony, that he could not possibly convict any person upon it.

Lord *Calthorpe* said, he had a strong conviction in his own mind of the gross and degrading nature of the conduct that had been

pursued by her Majesty, but the objections which he felt against the present measure in its earlier stages, now pressed upon him with redoubled force, and rendered it imperative upon him to vote against its second reading.

The Marquis of *Stafford* declared, that he must vote against the second reading of the bill.

Lord *De Clifford* was perfectly satisfied, from the evidence, that her Majesty had been guilty of an adulterous intercourse with a person in the lowest condition of life, and of great grossness and indecency in other respects. At the same time he could not forget that her conduct might have been of a very different complexion, had she been placed in different circumstances with reference to the sovereign. He should therefore vote against the second reading.

Lord *Grantham* was aware that the throwing out the bill would be attended with triumph to many evil-disposed persons. Under every consideration, however, he would say "Not-content," although he could not lay his hand on his heart and say "Not Guilty."

The Earl of *Blesinton* opposed the bill. It had been asked why the countess Oldi and other persons attached to her Majesty had not been called on her part? This he would say, that after seeing the harshness with which lady Charlotte Lindsay, the daughter of a prime minister and the sister of an earl, had been treated at that bar by the solicitor-general, who examined her as to matters of a private nature, and compelled her to shed tears at the recollection of her misfortunes, he, if he had been one of the counsel

against the bill, would certainly have abstained from calling the countess Oldi to their lordships bar.

The Earl of *Gosford* said, that from a careful examination of the evidence heard at their lordships' bar, he was under the painful necessity of declaring it as his opinion that her Majesty was guilty of the charges alleged against her. At the same time, he considered the measure before their lordships to be so impolitic that he could not possibly vote for it.

The Duke of *Athol* said, that he never rose in that House with so heavy a heart as on the present occasion. If some said that there were strong grounds of suspicion, and others that guilt had been proved, what were they to do? he could not do otherwise than vote for the second reading.

The Duke of *Somerset* said, that in the evidence they had certainly direct proof as to her Majesty's manners, but none as to the state of her morals. His grace concluded with repeating his dissent to the second reading of the bill.

Lord *Grenville* observed, that he was bound to say, that if he could bring himself to concur in the opinion of the Queen's innocence, and most anxiously and sincerely he had endeavoured to bring his mind to that conclusion—if he could have believed that suspicion only was awakened, instead of guilt being established by the evidence, he would not hesitate one moment in saying that the bill ought to stop there. But his opinion was, and he was bound to declare it, that the adulterous intercourse at or within the period assigned, and with the

individual named, was much too sufficiently and fully proved.

Lord *Rosslyn* said, that the evidence for the bill was not merely suspected evidence, but it was corrupt evidence [Cheers]. The noble earl then went through the whole of the evidence in a speech of great length and animation. If they should degrade the Queen by their judgment, they would make her the rallying point of the disaffected—they would expose the country to danger—the throne to degradation—they would risk the character of that House, in times when it was so necessary that it should stand high in the opinion of the people.

The House then divided, the lords being called over, beginning with the junior baron, and so proceeding in the inverse order of precedence.

The *Lord Chancellor* then declared the numbers to be: Contents, 123; Not-contents, 95.—Majority for the Second Reading, 28.

[With the second reading ended what was properly the judicial part of this proceeding: all that followed will be found fully detailed in the historical part of this work.—*For the peers votes, see Chronicle, page 592.*]

BIOGRAPHICAL MEMOIRS

AND

CHARACTERS.

MEMOIR OF THE RIGHT HON.
SIR JOSEPH BANKS, BART.
G. C. B. PRESIDENT OF THE
ROYAL SOCIETY, &c. &c.

THIS eminent man was one of those few individuals, who, born to an ample fortune, have nevertheless devoted themselves to the pursuit of Literature or Science with an ardour truly honourable, because entirely divested of all interested or sordid views. Inheriting, at the early age of eighteen, a noble patrimony, and feeling no stimulus from the necessity of making, or the wish of improving, his fortune, he did not indolently resign himself to the pleasures placed within his reach, and with which the generality of men, thus circumstanced, content themselves, but aspired to nobler enjoyments, and gave himself up with enthusiasm to the study of Natural History.

In recording the life of a philosophical character, birth and descent are secondary, if not entirely indifferent considerations: their value is overlooked in the estimate formed from less extrinsic circumstances. Even in this respect, however, the sub-

ject of the present memoir had something to boast, being descended from a family of noble Swedish extraction; yet he was far more allied to that nation by his congeniality with the illustrious Linnæus. The family traces its origin to Simon Bankes, who lived in the reign of Edward III., and who was the ancestor of Robert Bankes, an eminent attorney, in the reigns of Elizabeth and James I. An intermarriage with the Hodgskinson family afterwards put sir Joseph's father in possession of their estates; and he likewise bore their name.

Joseph, the only son, was born at Revesby Abbey in Lincolnshire, his paternal seat, on the 13th Dec. 1743, and was educated at Eton and Oxford. It was while studying at the latter place that he imbibed that passion for the study of natural history, which continued unabated through a long life. In his twentieth year he left the university: upon which event, instead of sacrificing to fashion, and proceeding on the grand tour, he visited the remote and then little-explored coasts of Newfoundland and Labrador, for the purpose of making researches, connected with his favourite

study. Such a singular application of the means with which fortune had endowed him, would alone have marked out Mr. Banks as a man of a superior mind, for nothing short of necessity would induce the generality of mankind either to forego the comforts of civilized society, and the luxuries of opulence, or to expose themselves to the inconveniences and dangers attendant on such an expedition.

Such a zeal in the cause of science was more particularly meritorious at a period when the spirit of discovery which so eminently characterized the last reign, and still prevails in the present, had not yet developed itself. Royal patronage certainly did much to awaken this spirit, and to open the way to that general intercourse with the most remote lands, which will ultimately contribute to the universal civilization of the world : but the private munificence, the personal devotion, and the zeal of the illustrious character whom we now record, effected also no little, whether considered as to its more immediate effects, or its remoter consequences. To an insular and commercial nation, the importance of whatever tends to facilitate its intercourse with every quarter of the globe, and to extend its connexions, is too great not to be instantly acknowledged : in exciting this spirit, therefore, in cherishing it to his latest hour by his application, his study and all the means arising from his fortune, his talents, his splendid connexions with men of science, sir Joseph Banks deserves to be considered as a genuine patriot—as one who did much for the cause of civilization and hu-

manity, and who gave an impulse to that spirit of research, discovery, and improvement, which is one of the most honourable characteristics of the age. Of this his first expedition no circumstantial detail has been given to the public, which is the more to be regretted as even now we are but very imperfectly acquainted with those countries, no subsequent traveller having communicated any thing important respecting them. His cabinet was considerably enriched by the acquisitions formed during this enterprise ; and what was still better, his habits of observation and investigation were improved, and his passion for scientific discovery confirmed. On his return he continued to apply himself with unremitted zeal to a variety of scientific pursuits ; more particularly to those immediately connected with natural history. At this period also he became a member of that society, over which he afterwards so long presided, and of which he formed so distinguished an ornament. In 1767, this learned body formed the plan of sending out some one to make observations on the Transit of Venus, on some island in the groupes of the South Sea, then recently become objects of public curiosity and attention in consequence of the voyages of Byron, Wallis, and Carteret. Mr. Banks saw what the genius of Cook was capable of effecting ; and, eager to participate in so important an enterprise, he accompanied that illustrious circumnavigator in his first voyage, which was commenced Aug. 26th, 1768, in the *Endeavour*. On this occasion government readily lent its aid, and supplied what-

ever was necessary to facilitate an undertaking of such extreme importance in every point of view; although Mr. Banks contributed very largely towards it out of his own fortune.

In order to avail himself of the services of an able coadjutor in his researches, he engaged Dr. Solander of the British Museum to accompany him. This gentleman, who was a Swede by birth, was every way worthy of the distinction conferred upon him by this selection, being a pupil of the great Linnæus, and having already rendered himself conspicuous by his scientific attainments. He engaged also in his suite, two artists, one for the purpose of taking views and delineating scenery, the other to draw objects of natural history. Nor did he fail to provide himself with all kinds of philosophical instruments necessary to his studies; with the means of preserving such specimens in natural history as he might collect; and with those articles most likely to prove serviceable and acceptable to such remote isles as he might visit.

During their passage to Madeira, Mr. Banks and his companions discovered many marine animals and productions that had till then escaped observation, although not situated in an unbeaten track. As they advanced towards Rio Janeiro new objects continually presented themselves to their curiosity; but at that place the jealousy of the Portuguese forbade their researches. Intellectual industry, improvement and innovation were regarded by them with peculiar jealousy and dislike: indolent themselves, they looked with an

eye of suspicion on the activity of others; bigotted to an exclusive and intolerant creed, they felt no admiration for whatever appeared likely to promote general information and knowledge. To such an excess was this ungenerous and despicable prohibition carried, that the Portuguese governor would not permit them to land, not even for the purpose of paying a formal visit to the viceroy: nor was the remonstrance made on this occasion by Mr. Banks himself of the least avail. Such was the petty suspicion, or the deep degeneracy of a people who, three centuries before, had been most zealous in behalf of nautical enterprise and discovery, and who had boasted of their Enrique, their Diaz, their Vasco, and their Albuquerque. The ardour of research, however, was rather excited than damped by the obstacles that presented themselves. Recourse was had to stratagem: some of the suite were sent on shore at day-break, and they returned at night laden with plants and insects, the *spolia opima* of their secret mission. The success of this scheme, and the fresh impulse thus given to their curiosity, induced both Mr. Banks and Dr. Solander to venture ashore; yet learning that strict search was making for them, they thought it prudent to effect their retreat in time.

On the 7th of December, they sailed from this inhospitable shore; and on the guard-boat quitting them, immediately availed themselves of the opportunity to examine the islands at the entrance of the bay, where a great variety of rare plants and brilliant insects repaid their researches. As they proceeded

southward, objects of still greater novelty attracted their curiosity. Among these the bed of a large sea weed was not the least, the length of its stalk being one hundred feet; they therefore very appropriately denominated it the *Fucus Giganteus*. In the straits of Le Maire, captain Cook afforded Mr. Banks every possible facility for making observations, sending him and his attendants on shore, and standing off and on with the ship where he could not anchor.

Not only impediments and obstacles, however, but even personal dangers attended their pursuits. On the coast of Terra del Fuego, Mr. Banks, and Dr. Solander narrowly escaped perishing in a storm of snow, in which they were compelled to pass the night on shore; they afterwards with difficulty regained the beach and were again taken on board ship.

On this perilous occasion, a seaman and a black servant of Mr. Banks, both fell victims to excessive cold, hunger, and fatigue; nor was it without extreme difficulty that Dr. Solander was rescued from a similar fate. Indeed had it not been for the presence of mind and energy of Mr. Banks the whole party must have perished.

In their route to the Northwest, great acquisitions were made of ornithological specimens; for so numerous were the birds they met with here, that Mr. Banks killed no fewer than sixty-two in one day with his own hand. Arrived at the Archipelago of the South Sea Islands, to the first land they discovered they gave the name of the Lagoon Island, in consequence of its shape and appearance.

On the 12th April, 1767, their vessel arrived at Otaheite, at which place and the adjacent isles, they remained three months; during which time they were employed in making astronomical observations, the principal of Cook's mission; in surveying the coasts of the different isles; in collecting specimens of the natural productions; and in obtaining all possible information relative to the natives, their manners and arts. The length of his stay among this people enabled Mr. Banks to familiarize himself with them and obtain their confidence; to which important point his benevolent and conciliatory manners contributed in no small degree. Indeed he soon became a favourite with all ranks, and was thus enabled to act as an umpire and mediator on every occasion between them and his own people. Nor did the affable address, and manly person of Mr. Banks fail to conciliate the goodwill of the females: in some instances the attachment of rival beauties was not unattended with jealousies. Among these ladies, Oberea, the queen, played a principal part, and a variety of anecdotes are recorded respecting her by Hawkesworth that have attached considerable celebrity to her name. Malignity and levity did not fail to interpret those attentions not exactly in the most innocent or charitable manner. As an instance of this may be mentioned the Poetical Epistle feigned to be addressed to sir Joseph from her majesty of Otaheite; the credit of which piece of satire was attributed, whether justly or not, to the late professor Porson, who, if we may judge from other levities proceeding

from his pen, was certainly capable of producing it.

In the midst of courtesy and hospitality, science was not neglected; Mr. Banks and his friends were busily employed in collecting and preserving whatever specimens they could obtain in every branch of natural history; but the labours of Mr. Parkinson, the artist employed in making drawings of them were greatly impeded by the insects, which were so numerous, and so voracious, that they actually devoured his colours as fast as he laid them on. A circumstance occurred about this time that threatened to defeat the principal object of the expedition: this was, the loss of the astronomical quadrant, which was stolen from the tent during the night. It was, however, most fortunately recovered, owing to the spirited perseverance of Mr. Banks, who, on this, as on almost every other occasion, was of singular service, even in cases where no more was to be expected from him than from any other individual. Attended only by a midshipman, and Mr. Green the astronomer, he went into the woods in search of it, and succeeded in re-obtaining it.

On the day of the observation, in order to guard against disappointment from cloudy weather, the long boat was dispatched with a party to the island of Eimeo; and although there was some danger attending this excursion, and he was not particularly attached to astronomy, as a study, Mr. Banks insisted upon accompanying the others. The many services he had performed for the natives, planting for them water-

melons, oranges, lemons, limes, and other plants, and the numerous acts of kindness he had displayed towards them, so won upon the affections of all ranks of the Otaheitans, that they beheld the preparations for his departure with regret. So great indeed was the attachment which one individual felt towards their universal benefactor, that he determined to accompany him to England. This was no other than Tupia, who had been prime minister to Oberea, during the period of her active sovereignty, when captain Wallis visited the island, he was also the chief Tahowa, or archbishop, and consequently well calculated, both from his influence and his superior information, to employ most advantageously for his fellow-islanders such knowledge as he should be able to acquire respecting the arts, civilization, and religion* of Europe. Unfortunately he was not fated to reach England, for he died in the course of the voyage. On quitting Otaheite, they proceeded to New Zealand, on the eastern coast of which is a small island, S. lat. 43, 22, W. long. 186, 30, to which captain Cook gave the name of Banks's island. Their attention was next directed to the eastern coast of New Holland, which they called New South Wales,

* The English Missionaries have at length succeeded in converting the natives of these islands to Christianity. The Sunday is now strictly observed there. In 1818, sixty chapels were built in Otaheite, and 18 in Eimeo. At that period likewise, there were about 4,000 of the inhabitants who could read, and many who could write.

and one spot acquired the since well known name of Botany Bay, in consequence of the numerous botanical specimens collected there by Mr. Banks and Dr. Solander.

The next places which they visited were New Zealand and New Holland, exploring principally the east coast of the latter. To the adjacent territory they gave the name of New South Wales. While here, an accident occurred that destroyed a considerable part of those collections in Natural History, in obtaining which so much time and labour had been expended, the vessel striking upon a rock, and afterwards while it was repairing, the sea breaking in. In August, 1770, they sailed for New Guinea, and, on their return, touched at Batavia, where, notwithstanding the shortness of their stay, the whole crew nearly perished from fever: only one individual escaped infection, and no fewer than thirty persons died of the disease, among whom was the unfortunate Tupia. In June, the following year, they arrived in the Downs, after accomplishing a voyage, that for its magnitude and importance, was superior to any since those of Vasco de Gama, and Columbus. After the achievement of such an arduous undertaking, Mr. Banks received from all literary men, and from the public in general, the respect due to his talents, his energy, and his enterprise. Had fame been his stimulus, or his object, he had already obtained sufficient to satisfy his ambition, but, though he doubtless appreciated the well-earned honours which he received, his active mind was yet unsatisfied.

In 1772, another expedition

was projected under the command of captain Cook, in search of the southern continent, the discovery of which was at that period an object of such general interest. On this occasion, Mr. Banks shewed himself no less prompt or zealous than upon any former one; on the contrary, he made preparations of greater magnitude than he had previously done, and even engaged the celebrated artist Zoffany, to accompany him, for the purpose of taking views. Orders were given by the Admiralty for fitting out the ships with every possible accommodation, but the Resolution having sailed from Long Reach to Plymouth, was found so crank, that she was obliged to be carried into Sheerness. In making the necessary repairs, it was found impracticable to preserve the accommodations, in consequence of which Mr. Banks, although not without great regret, abandoned his design, and the Messrs. Forster were engaged to perform the voyage upon a smaller scale of preparation; nor did Mr. Banks neglect to give them all the advice and assistance in his power in order to enable them to prosecute the undertaking with the best success.

Disappointed in this object, he determined on a voyage to Iceland, and the western islands of Scotland, as well for the purpose of employing the draughtsmen and other persons whom he had engaged, as of making scientific researches, and exploring a region almost beyond the confines of the habitable world. In addition to Dr. Solander, he was now accompanied by Dr. Van Troil, Dr. James Lind of Edinburgh as astronomer, and the late

Capt. (then lieutenant) Gore, who accompanied Cook in his third voyage. It was their intention to have landed at the Isle of Man for the purpose of examining some Runic inscriptions, but this part of their plan they were obliged to abandon, owing to the unfavourableness of the weather. They proceeded immediately, therefore, to the Western Islands, and visited Staffa. At first they had no intention of landing at this latter island, for so little was it at that time known, that they were not aware of its stupendous basaltic columns and wonderful grotto, or cave of Fingal. But being obliged to land at Drumen, the seat of Maclean, a highland chief, they were hospitably invited by him to his house, where they met with Mr. Leach, a gentleman who had visited the cave a few days before. The information received from him, immediately determined Mr. Banks to proceed thither, and fully investigate such an exceedingly curious work of nature. Having gratified their curiosity here, they passed the Orkney and Shetland Isles, without any particular examination, being impatient to arrive at Iceland as early as possible, in order to have the whole summer for the observations. Aware that every instant would be precious in a country where botanical and marine productions would open to their view so many new objects of inquiry and research.

On the 28th of August, they arrived off the coast of that island, and anchored near Bassestedr; from which place they commenced their researches. Their journey to Mount Hecla occu-

ped 12 days, the distance being considerable, and about 300 or 400 miles of the way an uninterrupted track of lava. On the 12th of September, Mr. Banks and his companions reached the summit of that volcano, being the first travellers who had ever done so. After carefully exploring every thing that their time would permit them to do, they left Iceland, and arrived at Edinburgh in November.

Thus had our indefatigable naturalist extended his researches into the most varied and remote regions of the globe: if in the latter instance, the brevity of his visit did not permit him to accomplish much, he may at least be regarded as having directed inquiry towards a country, which, notwithstanding its situation and uncongenial climate, has been since investigated by many travellers of celebrity; among these, it is sufficient to mention the names of Hooker, Mackenzie, and Henderson.

This was the last personal investigation of foreign curiosities made by Mr. Banks; but although henceforth resident at home, his activity in the cause of science continued the same, and to the advancement of this object he devoted his fortune, his talents, his time, and his influence. He continued to extend his noble collection of natural history, which he was enabled to enrich with the most valuable articles, both in consequence of his munificence, and of extensive intercourse with eminent foreigners, in every department of science throughout Europe. He was now universally considered as the patron of talent and science; to be recom-

mended, therefore, to him was the ambition of every one who aspired to eminence in any branch of natural history or philosophy. He was the central point around which all men of genius, of whatever country, rallied; and this extensive intercourse, while it extended his reputation, added likewise to his usefulness, by enabling him to effect much that zeal alone would not have accomplished.

Upon the retirement of sir John Pringle from the presidency of the Royal Society, in 1777, Mr. Banks was appointed to fill the vacant chair. It is almost needless to add, that he filled it with peculiar honour to himself, and with equal advantage to the interests of science. Undoubtedly, men of great professional eminence might have been found, but perhaps hardly one possessed in the same degree, of those adventitious advantages of opulence and rank, which enabled their possessor to be pre-eminently useful. An ardent love of science, munificence, and liberality, all contributed to qualify him for that station. He applied himself to its duties with that ardour and alacrity which were ever the characteristics of his mind. In one respect no person more suitable could have been appointed to an office requiring influence and celebrity, in order to discharge it with effect, because perhaps hardly any other individual possessed such interest, or could procure communications of such value. In addition to this, it is to be considered that the rank he held in private life induced many exalted characters to solicit the honour of being enrolled in the So-

ciety over which he presided. In 1781, Mr. Banks was advanced to a baronetcy; and he was subsequently honoured by his sovereign, being created a knight of the Bath, and sworn one of the privy council. For several years sir Joseph continued to be unanimously re-elected to the Presidency of the Royal Society, but at length a spirit of jealousy began to display itself, and that too among members of commanding and splendid talents. It was hinted that the president was more disposed to favour rank than ability; indeed to such an extent did this feeling proceed, that an eminent member of the church, who was distinguished for his mathematical learning, threatened to retire, which he did in the following terms—"if other remedies fail, we can at least secede. When the hour of secession comes, the president will be left with his train of feeble *amateurs*, and that toy upon the table, the ghost of that society in which philosophy once reigned, and Newton presided as her minister." The very temper of this burst shews its origin. Genius was unwilling to brook the least influence of rank, and the conflict was as long as it was violent. Sir Joseph, however, weathered this storm of jealousy and spleen, and had the satisfaction to behold the best effects arising from the co-operation of patronage and talent, genius and rank, in which union philosophy acquired amenity, and opulence cherished humility.

His attention to the duties of his office as president, induced sir Joseph to select a rural retirement in the vicinity of London, in preference to his seat in Lin-

colnshire. In 1779, therefore, he took a lease of Spring Grove, on Smalberry Green; and on the 29th March, in the same year, married Dorothea, daughter and co-heiress of William Weston Huggeson, esq. of Provender, in Kent, and sister of the lady of sir Edw. Knatchbull, bart. Soon after his elevation to a title, the president of the Royal Society was attacked by the witty, but profligate Peter Pindar, an author, whose satire being under no moral control, conferred not the least disgrace. Sir Joseph therefore, smiled at the humour of the writer, while he despised the malignity of the man who sought to hold up to indiscriminate ridicule, pursuits that he either would or could not appreciate. Had sir Joseph Banks been a mere childish collector of what are termed *curiosities*, brought together without knowledge, and stored up without any purpose—useless to the possessor, and secluded from others, he might have been a just object of ridicule: but the man of science who stores his cabinets for the purpose of promoting and diffusing knowledge; and who generously allows the use of his valuable treasures to all engaged in similar pursuits, is a character that commands our respect, and who will be mentioned with veneration, when the libeller, that could vilify his sovereign, shall have sunk into the well-merited oblivion from which even his talent cannot rescue him.

Sir Joseph Banks was now looked up to as to the patron and encourager of every useful undertaking, and of whatever was calculated to promote the best interests of society in general, or

of individuals in particular. Thus he gave his ready encouragement to sir John Sinclair, in preparing and collecting the statistical account of Scotland: he became a member of the Board of Agriculture, patronized the breeding of sheep, the draining of the fens, and extended his patronage, on every occasion, to whatever tended to promote horticulture and agriculture. In the earliest foundation of the African Association, sir Joseph took a very active part. This institution, which has since excited so much interest, originated in a society called the Saturday's club, of which sir Joseph, the late earl of Galloway, the present marquis of Hastings, general Conway, sir John Sinclair, Dr. Watson, bishop of Llandaff, and other distinguished characters were members. The investigation of the geography of Africa, and the civilization of its natives, had for some time been objects of more than common interest among them; at length, on the 9th of June, 1788, they formed themselves into a distinct society, having these specific objects in view; and from this slight beginning has sprung up an association whose importance is extending daily. Soon after its establishment, sir Joseph introduced to this society the enterprising adventurer, Ledyard, who was then just returned from an attempt to cross the Russian dominions to Kamschatka and North West America, on foot; an expedition for which he had been liberally furnished with every pecuniary means by sir Joseph himself.

How warmly the illustrious British naturalist devoted himself

to whatever was connected with the interests of science, and how generously and honourably he at the same time acted, divesting himself of all the prejudices and interests of country, is evident from his conduct towards Labillardiere. This naturalist had been appointed to the expedition sent out in search of La Peyrouse, originally under the command of D'Entrecasteaux, and on the death of M. Dauribeu, who succeeded to the last-mentioned officer, the revolution had broken out, and Labillardiere had espoused its principles, in opposition to those of the commander, who on their arrival at Java, gave him up as a prisoner to the Dutch, then at war with the republic. He was afterwards permitted to go to the Isle of France, whence he sailed for Europe, and arrived there in 1796, when he learnt that his journals and collections which were taken from him at the time he was delivered up to the Dutch, had been sent to England. The French government applied for their restoration, upon which sir Joseph Banks most disinterestedly urged that they should be given up, and our government as liberally and honourably acceded to the request. Out of gratitude for this essential service, and from their esteem for the talents and labours of the president of the Royal Society, the National Institute of France conferred upon him the honour of electing him a member.

In 1804, he was active in forming the Horticultural Society, to which he afterwards contributed a variety of papers, explanatory of his mode of cultivating several scarce and useful productions in his garden at Spring-grove; par-

ticularly the American cranberry, the paper on which, in the Society's first volume, gives an interesting description of the orchard and garden of his suburban villa, on which he expended large sums, though only a tenant until 1808, when he purchased it in fee.

Sir Joseph's residence had long been the rendezvous of men of science and genius of every nation; and there they were not only certain of obtaining a cordial welcome, but of having access to one of the most valuable private libraries, and one of the most splendid collections in Europe. Their late majesties frequently honoured the president and lady Banks with their visits, and entertained for them a marked regard. But though his roof was thus particularly distinguished by the attentions of royalty, his doors were never closed to genius or merit, however humble the form in which it might present itself. The votary of science was induced to resort thither no less by the courteous amenity and hospitable kindness of the worthy owner, than by the valuable treasures of which it was the repository: of the multitude and variety of these latter, some idea may be formed, when we state that the catalogue alone occupied four octavo volumes.

In 1817, sir Joseph lost his only sister, a lady of most amiable character; and superior information, and her loss was the more felt, as she had been the constant inmate of his family. He himself was now labouring under the infirmities of age, and the attacks of a complaint which deprived him in a great measure of the use of his lower extremities. His cheer-

fulness, however, and his mental energy did not forsake him, and he continued to the last the warm and active patron of whatever was most conducive to the best interests of science and of humanity. It is true, that incapacitated by infirmity from fulfilling the duties of his office as president of the royal society, he had expressed a wish to resign; but this resignation the society were unwilling to accept, and he continued therefore to hold the office until his death, an event that occurred on the 19th of May, at his house in Soho-square.

As during his life, he had always wished others to participate in those stores of intellectual wealth which his affluence enabled him to collect, so did he when dying bequeath these treasures as a legacy to his country, and they will henceforth grace the British Museum. Not having any issue, his title is extinct; yet the name of sir Joseph Banks will live to the latest posterity, and will be venerated by distant ages as long as science shall exist, or its professors shall be capable of feeling gratitude, for one who was at once its diligent votary and its munificent patron.

MEMOIR OF BENJAMIN WEST,
ESQ. PRESIDENT OF THE
ROYAL ACADEMY.

IT is rather a singular coincidence, that the same year which deprived the nation of its late venerable sovereign, should have likewise robbed it of two eminent characters, each of whom in his respective walk contributed in no small degree to reflect a lustre on the reign of his royal patron: each individual was per-

sonally favoured by his sovereign; each had like him been contemporary with the events of nearly a century; each was at the head of a distinguished body under the auspices of the monarch; the one being president of the royal society, the other of the royal academy.

Benjamin West, who was born at Springfield, in Chester county, Pennsylvania, on the 10th of October, 1738, was a descendant of the noble family of Delaware, which made a conspicuous figure in the wars of Edward III. In the reign of Richard II., his ancestors settled at Long Cranden, in Buckinghamshire, where they continued till that of Charles II., at which period they attached themselves to the persuasion of the Quakers, and in 1699, emigrated to America with the eminent legislator of that sect, on his second voyage to that country. Previously to this the family had espoused the cause of liberty and republicanism, particularly colonel James West, who distinguished himself at the battle of Worcester, and by his friendship with Hampden. John West, the father of the subject of our memoir, removed to Pennsylvania in 1714, where he married Sarah, the daughter of Mr. Thomas Pearson, who had accompanied Penn thither in 1681. Of ten children, the offspring of this marriage, Benjamin was the youngest.

Born at a farm-house in an American colony, at a distance even from such marks of culture as the newly established city of Pennsylvania might present, and the offspring of parents whose religious principles and simple habits were particularly unpro-

pitious to the fine arts, young West was certainly not placed in a situation favourable to the development of a talent for painting. Yet, though without encouragement or direction, the force of his genius exhibited itself even at the early age of six years, when he made a pen and ink sketch of his sister's infant while it was sleeping in its cradle. So unfavourably indeed was he situated with regard to any opportunity of pursuing his favourite art, that he did not possess even the requisite materials; yet genius triumphed over every obstacle that fortune had placed in his way. Having obtained some red and yellow colours from the neighbouring Indians, and a piece of indigo from his mother; his next task was to contrive an instrument with which he might apply these pigments. Having heard of a camel's hair pencil, his next object was to manufacture one; camels, indeed, were not to be found, but cats were; and it was from the back of a favourite domestic animal of the latter species that the youthful artist gathered the materials with which he formed his first pencil. Thus furnished, he applied himself most sedulously to a pursuit for which he was disposed to encounter and surmount every impediment. Not content with devoting to it secretly every spare moment at home, he encroached upon his school hours. His attachment to art induced him to forget what was due to literature; in other words, Benjamin played the truant; inquiry led to observation, and his mother traced the delinquent to his retreat in a garret, where he was intently employed in copying a print that

had been given him, alike heedless of the displeasure of pedagogue or parents. Maternal affection prompted Mrs. West to chide what she regarded as an unfortunate disposition in her son, but maternal pride was delighted on beholding the performances of his pencil, and throwing her arms around his neck, she tenderly kissed him. "That kiss," Mr. West has been heard to say, "That kiss made me a painter." Thus forcibly, and thus early, did the bias of Mr. West's mind display itself, in a country and state of society almost as little favourable as can be conceived. The fine arts demand, if not the professed patronage of academies, and the fostering protection of sovereigns, at least that degree of refinement and of opulence on the part of the public that will enable them to enjoy and to indulge in those pursuits not essential either to the well being of society, or the mere comforts of existence. But in a rising colony, the artisan is more highly esteemed than the artist; while science, literature, and art, are as little appreciated by infant states as by infant individuals, in either of whom animal wants supersede intellectual gratifications. The prejudice of religious principle, confirmed habits and sectarian pride, were moreover strongly opposed to embellishment and ornament, which was considered, if not positively sinful, at least of dangerous tendency.

About the age of fifteen, Benjamin was confined to his room by a fever, and the shutters of his apartment being closed, he observed small figures of men and cattle on the ceiling and

walls. He related the circumstance to his friends, who alarmed at what appeared to them mere fancy, began to think that his intellects were disordered by the disease. He soon, however, quieted their apprehensions, having discovered that the visions he beheld were the images of external objects transmitted through an accidental aperture in one of the window shutters. Reflecting, therefore, upon this phænomenon, as soon as he was recovered he contrived a box with a hole in one of its sides; and in this he fixed a mirror, so as to exhibit the objects represented, in an upright position. This ingenious piece of machinery he afterwards showed to Mr. Williams, a landscape painter at Philadelphia, to whom he had been introduced, and some of whose performances he had copied; but how great was his astonishment when that gentleman exhibited to him a more complete instrument of the kind which he had just before received from England. Thus he found he had not borrowed, but re-discovered the principle of the *Camera Obscura*. Shortly afterwards he embraced painting as a profession, being enabled to do so by the liberality of several of the members of the persuasion, who on this occasion waved the simplicity, or rather austerity of their tenets, and decided that the youthful artist should be permitted to yield himself to the impulse of his genius.

With the opportunities of study, the enthusiasm of West towards his art increased, and he executed several portraits and historical compositions at Lancaster, in Pennsylvania, and at the cities

of Philadelphia and New York: although his studies were in some degree interrupted by the defeat of general Braddock in 1755, and by the incursions of the Indians in the French pay. Still, however, he received sufficient encouragement; for Williams had returned to England and left the field open to the young American without a rival or competitor. A native artist was besides regarded with peculiar pride and interest, so that he was gradually enabled to raise his prices from one to five guineas for a head, and ten for a half length. By this means he soon acquired sufficient to live in a style of respectable independance, if not of affluence; and he formed an intimacy with a young lady of the name of Shewell, the second daughter of a respectable merchant at Philadelphia; yet being eager to visit Europe, and more particularly Italy, the seat of art, he postponed entering into an indissoluble union with the object of his affections until his return: engaging, therefore, not to prolong his stay beyond three years, he embarked, in 1760, in a vessel bound from Philadelphia to Leghorn with a cargo of flour and wheat. From Gibraltar, the vessel was conveyed by the Shannon frigate and the Favourite sloop of war, the latter of which was commanded by captain Meadows, afterwards earl Manvers: and this circumstance was particularly favourable to our artist, as a friendship was thus formed, that continued till the death of his lordship, which preceded that of Mr. West only a few years.

At Leghorn, he was furnished by Messrs. Jackson and Ruthford, on whom he had a letter of

credit, with recommendations to cardinal Albani and other persons of talent and influence at Rome. West arrived in that metropolis on the 10th of July, 1760, where much interest and curiosity were excited respecting him, in consequence of a report, stating, that a young *American savage* had crossed the Atlantic for the purpose of studying painting; on the other hand, he was introduced to Mengs, Battoni, and other artists of reputation; and became acquainted with Mr. Wilcox, the author of *Roman Conversations*; lord Grantham, (then Mr. Robinson), and many other distinguished individuals, whose society refined his taste, and whose liberality facilitated his studies. On his arrival in Italy, he became fully sensible of his own deficiencies, arising from the want of due anatomical study and good models. The force of his genius, indeed, had impelled him to historical composition, but he found that patient exercise would be necessary to enable him to employ to the greatest effect, the powers with which he had been endowed, and that he must avail himself of those auxiliaries, without which genius is hardly a match for assisted talent.

The Italian connoisseurs were eager to witness the effect which the sight of the master-pieces of art would have upon the young American; but they did not feel particularly flattered, when, on being conducted before the Apollo Belvidere, West exclaimed, "My God, how like is that figure to a Mohawk warrior." The comparison sounded almost profanely to *dilettanti*, who considered the classical graces of the Grecian divinity remote as the

antipodes from the figure of an American savage. West, however, made them comprehend, that those savages possessed manly grace, agility, and beauty, in no small degree.

The first production of his pencil at Rome was a portrait of lord Grantham, which on being submitted to many artists and connoisseurs without the painter being named, had the honour of being mistaken for a work of Mengs; and was moreover allowed to be one of his *best-coloured* pictures. This, it must be owned, was a compliment that might have satisfied the vanity or the pride of any artist. His studies were now interrupted for a time by an illness, originating in the mental and bodily irritation produced by change of climate and manner of living, and by the hurried view of so many wonderful objects of ancient and modern art, which worked him up to an enthusiasm; that his nerves could not endure. In order, therefore, to regain strength and composure, he quitted the enchanted spot and retired to Leghorn. When sufficiently recovered, he returned to Rome, where he applied himself to the study of the works of Michael Angelo, Raphael and Poussin; a relapse, however, was the consequence of his too great haste to re-assume his pursuits. He was now obliged to return to Leghorn, where he recovered from his fever, but was afflicted with a painful swelling in one of his ancles, and in order to obtain the advice of Nanori, a surgeon, distinguished for his success in the treatment of such cases, he repaired to Florence, where he was confined to his bed-room for six

months. Yet, although not able to visit the gallery, he employed himself in making sketches and historical compositions, for which purpose he had a desk made on which he could sketch in a reclining posture. Some portion of time also was devoted to the perusal of the best historians. The langour and weariness of convalescence were likewise relieved by the kind attention he received from sir Horace Mann, the British minister, lord Cooper, sir John Thorold, and many others of the English nobility and gentry then resident at Florence. Nor were the Florentine nobles behind in their attentions.

As soon as he was able to travel, he hastened pursuant to the advice he had received from Mengs, to visit Bologna, Mantua, Parma, Venice, and Verona, in order to make himself acquainted with the peculiar style of the best masters of every Italian school. During this period, every hour of the day was employed in most sedulous though varied study. The principal portion of it was of course devoted to the inspection and careful observation of paintings, from which he made sketches of such portions and circumstances as were most worthy to be noted: sometimes copying single figures, at others entire groups, or occasionally making a finished copy in oil, in order to acquire the manner, penciling, and colouring of a particular master. This tour was rendered still more pleasant by the company of Mr. Matthews, an intelligent man, possessed of a classical taste, and a relish for the fine arts. With regard to pecuniary resources, he was enabled

to prosecute his studies advantageously through the liberality of Mr. Allen of Philadelphia, and Mr. Hamilton the governor of Pennsylvania, who, judging that his talents were calculated to reflect a lustre on America, most liberally furnished him with the means of travelling through Italy to the best advantage.

On his return to Rome he continued the same plan of study. Re-established in his health, and improved both in the theory and practice of his art, he now commenced some original compositions, and executed his pictures of Cymon and Iphigenia, and Angelica and Medoro, both of which obtained for him the applause of Mengs and other critics; and proved his advance in correctness of design, in purity and beauty of form, and in poetical fancy.

The period was now approaching which he had fixed as the limit of his absence; but his own wish and his father's permission prompted him to visit England prior to his return to his native country. He accordingly availed himself of an opportunity to travel thither with Mr. Patonne, a Scotch physician and an amateur of the Fine Arts. Having completed a copy of Correggio's marriage of St. Catherine at Parma, he and his companion commenced their route to Paris by the way of Genoa, Turin, and Lyons. From the intelligence and judgment of his friend, as well as from his own observation, Mr. West derived much benefit during this journey; nor did he omit to make drawings from the best pictures he visited at the different cities through which he passed, and in the

French capital. In August, 1763, Mr. West arrived in London; but, not intending to protract his stay in England beyond a few months, immediately set off on a tour to the principal collections in the kingdom: having visited these, he was preparing to return to America, when a fortunate occurrence intervened, that fixed him in a country which was proud of cherishing so eminent an artist. General Monckton, who had taken the command of the British forces at Quebec on the death of Wolfe, was just returned from America; and hearing of the young painter, then a topic of public conversation, he visited him, and was so struck with the superior talent discovered in his works that he sat to him for his portrait. This procured a succession of sitters; for the intelligent and the idle alike flocked to behold such a prodigy as a painter imported from the new world. Romney, Gainsborough, Wilson, and Reynolds, were among his visitors; and it was at the request of the two latter that he was induced to send his portrait of the general, together with his pictures of Cymon and Iphigenia, and Angelica and Medoro, to the exhibition that was then about to open in Spring Gardens. The applause bestowed upon these productions prompted the wish of establishing himself permanently in a country which to an artist presented more alluring prospects than the land to which he was expected to return. It is true, that both reputation and emolument would have attended him in America: there he would have been without any rival to contend the palm of superiority with him, without any competitors to draw off from

himself the public gaze: there he might have become the founder of a transatlantic school of art; there certain affluence awaited his efforts as as a portrait-painter; but neither vanity nor cupidity influenced his determinations, and knowing that he could not there improve himself in that branch of his profession to which he was most attached, he resolved to relinquish the prospects of celebrity and opulence in his native land, to break through those ties of kindred by which he was attached to it, to encounter all the prejudices and difficulties with which he foresaw he should have to contend, and to consider himself from that time as the adopted child of England. In consequence of this resolution, he wrote to both his father and Miss Shewell, acquainting them with his intentions, and soliciting them to come over to him. A few weeks brought them to London, and West was soon after united to the object of his affections.

This event may be considered as a fortunate epoch in the annals of British Art, since it tended to bring forward and to promote that branch of painting which had been most neglected. Till Mr. West arrived, Historical Painting can hardly be said to have existed among us: the little that had been done in this way was rather ornamental than historical, and confined to the embellishment of ceilings and staircases. Hogarth, who had now closed his career, besides that his works were so perfectly *sui generis* that they could not be classed under the head of history, was considered rather as engraver than as painter. Rey-

nolds prudently confined himself to portrait: in this branch of the art he was an original genius; in the higher walk of history he had, in all probability, never acquired that eminence on which he now stands. Mortimer, Hussey, and others, who had endeavoured to awaken the public interest in behalf of this important department of the Fine Arts had not obtained the patronage they deserved. These, it must be confessed, were sufficiently discouraging considerations, yet undaunted by the failure of others, and confiding in his own powers, Mr. West resolutely entered upon a career which eventually proved so honourable to himself and to his illustrious patron. In 1765 he was elected a member and director of the Incorporated Society of Arts, consisting of those painters who had exhibited at Spring Gardens; and until the opening of the Royal Academy he continued a constant exhibitor at this Institution. His *Contenance of Scipio*, and his *Pylades and Orestes*, belong to this period. The latter of these productions was regarded as an astonishing effort, and daily attracted crowds to Mr. West's house, where it was first shown: no one, however, enquired its price, nor did it meet with a purchaser at the exhibition; yet on being returned unsold to the artist, Mr. Geddes, a nobleman's steward, bought it for the sum of 100 guineas, not without expressing some indignation at the public apathy, and that want of spirit or judgment among those professing to be connoisseurs, who could suffer such a work to revert to the painter. Shortly

afterwards, Mr. West produced five other historical subjects, among which that of the Infant *Pyrrhus* brought before *Glaucus* obtained great approbation. Dr. Drummond, the archbishop of York, was so impressed with the extraordinary merit of this piece, that he visited the artist, invited him to dine with him, and what was still better, gave a commission for the picture of "*Agrippina landing at Brundisium with the ashes of Germanicus.*" Important as this event was, it was but a prelude to still higher patronage; for when the picture was completed, his grace was so delighted with its beauties, that he forthwith introduced Mr. West to the king. At this first interview, his majesty conversed most affably with the artist, with whose mild, tranquil manners, and intelligent mind he was greatly interested; and he commissioned him to paint the subject of *Regulus*.

Dissensions among the members of the Incorporated Society, and the secession of West, Chambers, and others, from that body, led the way to the establishment of the Royal Academy, which was founded in December 1768. On this occasion, Mr. West's access to the royal presence, and the favour with which he was regarded by his sovereign, proved eminently serviceable to the formation of the new Institution. His majesty nominated the academicians, and at their first meeting they elected Reynolds as their president; a measure of which Mr. West most disinterestedly urged the propriety. Indeed, it is evident that in being instrumental in forming this Institution, he was actuated solely

by a desire for the advancement of the arts, since, had personal ambition been at all his object, nothing could have been easier for him than to have succeeded in attaining it, favoured as he was with the particular regard of the king. It may, perhaps, be said, that however willingly he would have accepted the office of president, he could not with propriety have done so, as the long established eminence and popularity of Reynolds would have pointed him out as better qualified for a station of such authority than one so much his junior, and of such recent celebrity: still, had Mr. West listened only to the dictates of ambition, he would not have failed to secure to himself the importance which such a situation would have conferred upon him—but his ingenuous mind was above all selfishness and intrigue. It is, indeed, greatly to be regretted, that envy and cabal have so frequently been substituted for that generous emulation which ought to distinguish the character of the artist—that low and unworthy jealousies should have so often produced bitter feuds, rankling animosities, and turbulent dissensions among those whose profession should naturally tend to inspire them with liberal sentiments; for such conduct has not only been detrimental to the progress of art, but has debased its professors in the public esteem. As it is, however, not to our purpose to enter upon the investigation of temporary quarrels and manœuvring, we revert to the more pleasing task of pursuing Mr. West through his professional career. His picture of Regulus, and that of

Venus weeping over Adonis, attracted the public attention very forcibly at the opening exhibition at Somerset House; and so highly was his majesty satisfied with the former of these productions, that he immediately employed the artist to paint for him a second historical composition, of which the subject was, Hamilcar causing his young son Hannibal to take an oath of perpetual hostility to the Romans. From this period, the king may be considered as his constant patron.

In 1770, he exhibited, besides the last-mentioned picture (the Finding of Moses) Hector taking leave of Andromache (painted for Dr. Newton, bishop of Bristol), the Death of Procris, the Return of the Prodigal Son, Tobias curing his father's blindness, and the Death of Wolfe. The reputation of the last subject was soon extended, not only in this country, but over all the continent, by means of Woollett's admirable engraving from it. The subject certainly was unfavourable in point of costume, and in the hands of any but a master, it would probably have been nothing but what has been scornfully termed "a Coat and Waistcoat piece." But in some respects the prejudice against modern European costume in historical pictures has been carried to excess. Considered merely with regard to forms, it is confessedly less adapted to painting than either nude figures or antique drapery: yet when skilfully managed, it certainly possesses an interest and beauty of its own; rigidly to interdict it, therefore, would be absurd, and to advise the substitution of fancy costume

in contradiction to historical truth and common sense would be still more so. So far were the old masters from entertaining such prejudices against contemporary costume, that they frequently deviated into a contrary error, giving their figures the dresses of their own age and country, even in subjects taken from sacred or profane history.

Eager on every occasion to promote the culture of his art, and ready to sacrifice pecuniary emolument to this nobler object, Mr. West proposed in 1773 to the Royal Academy, that they should offer their services to decorate gratuitously some church; and first suggested the chapel at Old Somerset House, but afterwards St. Paul's cathedral. Reynolds and the principal academicians immediately seconded this design, and his majesty's approbation was obtained; when an obstacle presented itself that had not been anticipated. Unfortunately the bishop of London (Dr. Terrick) had not been consulted on the occasion, and refused to grant his consent, on the plea that painting was inconsistent with the simplicity of the Protestant Church. In consequence of this the project was obliged to be abandoned. West's enthusiasm, however, urged him to attempt what could be done in some other way, although not upon such a magnificent scale as was originally contemplated; he determined therefore to paint an *altar-piece*, and present it to some church in the metropolis; and he chose as his subject the Martyrdom of St. Stephen, which he presented to the church of St. Stephen, Wallbrook. This procured him

commissions for other altarpieces, viz. for Trinity chapel, Cambridge; and for the cathedrals of Rochester and Winchester. For the chapel of his friend, lord Newark, he was employed also to paint St. Peter denying Christ. In 1778, he was officially appointed historical painter to the king; and in 1780 exhibited portraits of the king and six of the royal family: likewise his celebrated historical pictures of the battles of La Hogue and the Boyne. In the same year, he was employed by his royal patron to paint for him a series of subjects, illustrative of Revealed Religion, from the four Dispensations, viz. six pictures from the Patriarchal, ten from the Mosaical, eleven from the Gospel, and six from the Revelation dispensation. These were intended to embellish the chapel which his majesty designed to build at Windsor, and the extent of the commission, and the remuneration bestowed on the artist, sufficiently evince that George III. was a noble and generous patron, even had he not employed West beyond this. But when it is recollected that he was engaged also to decorate the state apartments at Windsor Castle, and to paint other historical pieces and portraits of the royal family, for all which he received upwards of thirty-four thousand pounds, it must be acknowledged that few artists have been more extensively employed by any sovereign, or more liberally remunerated.

The death of sir Joshua Reynolds in 1792 transferred the presidency of the Royal Academy to Mr. West, who continued to hold it to his death, with

the exception of the year 1806, when Mr. Wyatt, the architect, filled that office. On the peace of Amiens, Mr. West visited Paris, then in possession of the unrivalled collection which the victories of Buonaparte had placed in the Louvre. He was received by artists and men of letters with all the attention due to his talents as a painter, and to the rank he held in the Royal Academy. Nor did the First Consul fail to favour with particular notice the distinguished Englishman, and would gladly have purchased the study of 'Death on the Pale Horse,' which Mr. West exhibited at Paris, and which may justly be considered as one of the finest productions of modern art. His visit to the French capital was productive of singular benefit to the arts of this country, for the plans which he there witnessed for the advancement of the fine arts, suggested to him the idea of projecting some design that might tend to promote them at home. On his return to London, he discussed the feasibility of his views with many friends and patrons of art, the result of which was the establishment of the British Institution on the 4th of June 1805. At first, his majesty was unwilling to lend the sanction of his name to a body which he conceived likely to interfere with the Royal Academy, and to clash with the interests and objects of the latter; but when Mr. West explained the distinct purpose of the new Institution, and pointed out how greatly it would tend to promote among the higher classes a spirit of patronage towards British artists, the king willingly conceded to the request made in its behalf.

At a later period (1811) the directors of this Institution purchased Mr. West's picture of 'Christ Healing the Sick in the Temple,' at the sum of 3,000 guineas. This was succeeded by his 'Christ Rejected,' and 'Death on the Pale Horse;' both of which added to his reputation, and proved that the painter, although approaching his eightieth year, had lost none of his powers either of hand or mind. Age, however, now began to assert its dues; he was confined by rheumatism and gout, and afflicted with symptoms of anasarca. Gradual debility and exhaustion ensued, and he expired at his house in Newman-street, on the 11th of March, 1820; thus surviving his illustrious royal patron not quite two months.*

However, malignity or envy may affect to undervalue the services and the talents of the late president of the Royal Academy, impartiality will acknowledge that he was most instrumental in raising the art of historical painting in England to an eminence it had never approached before the late reign, and might not have attained even then had it not been for his unwearying zeal and perseverance. To be patronized by his sovereign was of itself sufficient to incur the ribaldry, and like him be honoured with the vituperation, of Peter Pindar. To have become so eminent in his art rendered him in like manner obnoxious to the cavils and petty

* Mr. West was born in the same year with his late majesty, and was his junior by somewhat more than three months. For particulars respecting his Funeral and Will, we refer to pages 87 and 397 of the Chronicle.

criticisms of others. In some respects, Mr. West has been excelled by his inferiors; his colouring was generally crude; his drawing mannered; other defects might be pointed out, but in spite of them all he was a great and admirable painter. In the choice and conception of his subjects he displayed fine taste, noble and vigorous invention. Frequently grand, sometimes sublime, always moral and instructive; his numerous productions, the fruits of half a century of undeviating application, have enriched this country by laying the foundation of an historical school, where, in extending the track he has opened, his successors should not fail to venerate his memory, nor forget how much they are indebted both to his talents and his zeal.

We cannot conclude this sketch more appropriately, than by giving the following summary of the character of Mr. West, extracted from Mr. Galt's interesting biography of him:

“To his merits as an artist and a man I may be deemed partial, nor do I wish to be thought otherwise. I have enjoyed his frankest confidence for many years, and received from his conversation the advantages of a more valuable species of instruction relative to the arts, than books alone can supply to one who is not an artist. While I therefore admit that the partiality of friendship may tincture my opinion of his character, yet I am confident, that the general truth of the estimate will be admitted by all who knew the man, or are capable of appreciating the merits of his works.

“In his deportment, Mr. West was mild and considerate: his eye was keen, and his mind apt; but he was slow and methodical in his reflections, and the sedateness of his remarks must often, in his younger years, have seemed to strangers singularly at variance with the vivacity of his look. That vivacity, however, was not the result of any peculiar animation of temperament, it was rather the illumination of his genius; for when his features were studiously considered, they appeared to resemble those which we find associated with dignity of character in the best productions of art. As an artist, he will stand in the first rank. His name will be classed with those of Michael Angelo and Raphael—but he possessed little in common with either. As the former has been compared to Homer, and the latter to Virgil, in Shakspeare we shall perhaps find the best likeness to the genius of Mr. West. He undoubtedly possessed, but in a slight degree, that peculiar energy and physical expression of character in which Michael Angelo excelled; and in a still less, that serene sublimity which constitutes the charm of Raphael's great productions. But he was their equal in the fulness, the perspicuity, and the propriety of his compositions. In his great works, the scene intended to be brought before the spectator is represented in such a manner that the imagination has nothing to supply. The incident, the time, and the place, are there, as we think they must have been; and it is this wonderful force of conception which renders the sketches of Mr. West so much more extra-

ordinary than his finished pictures. In the finished pictures we naturally institute comparisons in colouring and in beauty of figure, and in a thousand details, which are never noticed in the sketches of this illustrious artist. But although his power of conception were so superior,—equal in their excellence to Michael Angelo's energy, or Raphael's grandeur—still in the inferior departments of drawing and colouring, he was one of the greatest artists of the age; it was not, however, till late in life that he executed any of those works in which he thought the splendor of the Venetian school might be judiciously imitated. At one time he intended to collect his works together, and to form a general exhibition of them all. Had he accomplished this, the greatness and versatility of his talents would have been established beyond controversy; for unquestionably he was one of those men whose genius cannot be justly estimated by particular works, but only by a collective inspection of the variety, the extent, and the number of their productions."

MEMOIR OF THE RIGHT HON.
HENRY GRATTAN, M. P.

A very short sketch of the life of this eminent character is all which our limits will allow us to give. Indeed, to write fully the history of Mr. Grattan, would be to write the history of the times in which he lived: there was not, for nearly half a century, any great public event which he either did not himself originate, or with which his name was not inseparably connected. Before

his time Ireland presents nothing worthy of being recorded, nothing at least from which the historian would not gladly shrink. Her early annals are written in fiction, and those of later times are unhappily written in blood.

Mr. Grattan was born in the city of Dublin, in the year 1746. His father was a barrister of respectability, and for some time recorder of that city, and his grandfather was the intimate friend and companion of Dean Swift. The situation of recorder, however respectable, was very inconsiderable in point of emolument, and the patrimony which Mr. Grattan inherited, was insufficient for his support independently of a profession. The one to which he turned, as most suited both to his talents and inclination, was the bar. In order to qualify himself for its duties, he became a student of Trinity college, Dublin; where he formed his first acquaintance with Mr. Fitzgibbon, afterwards better known as lord Clare. It is remarkable enough, that the competition which took place in their youthful days, should have continued through their lives; a competition in which the brightest names of the country became afterwards interested and opposed. Mr. Grattan encountered also at the university a no less celebrated rival in the person of John Foster, now lord Oriel, the last Speaker of the last parliament of Ireland. Mr. Grattan distinguished himself considerably at college—he gained all its honours, and is one of the few great men who made any figure in that seminary; indeed, the three whom we have just mentioned may be considered in a

great degree as exceptions to the general rule. Even Burke and Goldsmith had just escaped censure in its course, and if we mistake not, Swift was refused a degree from incapacity. To Grattan who had made an ineffectual attempt to rescue her name from the obscurity which involved it, she made but an ungrateful return; his picture had been hung up in the Examination hall in the meridian of his popularity, but the heads of the university afterwards tore it down when fortune appeared to desert him. In 1772, Mr. Grattan was called to the Irish bar, at which he made no figure, and he finally quitted it. His opportunities of distinction in the profession were few, and even of those he does not appear to have availed himself; he argued a few questions, but his manner was eccentric, his views desultory, and his previously acquired habits of thinking and acting, obviously unfitted him for the theatre he had selected. It is not impossible that his pride of spirit might also have virtually incapacitated him for success. He could not resort to the drudgery of flattering the bench, or the disgrace, at that time too prevalent in Ireland, of *feeding* the attornies, and was obliged to leave the "golden branch" to those who thought no descent too low which led to its possession. During his retirement from the bar, in what may be called, the interregnum between his professional and his political life, he became acquainted with the late noble and virtuous lord Charlemont, a nobleman who had obtained and deserved the respect of his acquaintance and his country. He was a splendid

patron of the arts, a great lover of literature, and the head of a powerful political party; the popular party of its day, but still the constitutional party also: its noble leader was as proud as he was patriotic, and kept the people whose rights he strenuously asserted, at the full distance to which he thought his birth entitled him. As this was the patron to whom Mr. Grattan owed every thing in life, the reader may not be displeased with the following extract from his celebrated pamphlet in reply to lord Clare, containing a brief and eloquent outline of his character. "In the list of injured characters, I beg leave to say a few words for the good and gracious earl of Charlemont; an attack, not only on his measures, but on his representative, makes his vindication seasonable; formed to unite aristocracy and the people—with the manners of a court and the principles of a patriot—with the flame of liberty and the love of order—unassailable to the approaches of power, of profit, or of titles, he annexed to the love of freedom a veneration for order, and cast on the crowd that followed him the gracious shade of his own accomplishments, so that the very rabble grew civilized as it approached his person; for years did he preside over a great army without fee or reward, and he helped to accomplish a great revolution without a drop of blood! Let slaves utter their slander, and bark at glory which is conferred by the people—his name will stand; and when their clay shall be gathered to the dirt to which they belong, his monument, whether in marble, or in the hearts of

his countrymen, shall be consulted as a subject of sorrow and a source of virtue." Such is the description of lord Charlemont by the hand of Mr. Grattan who knew him well, and it is universally acknowledged to be true by all who looked without prejudice either upon his public or his private life. At the period of their early acquaintance, lord Charlemont had sustained a double loss, as a politician and a man. He had lost the powerful support of Mr. Flood in parliament, who, by an acceptance of the vice-treasurership of Ireland, had seceded from the popular party. This was a severe blow, but it was followed by one in a private point of view, still more afflicting, the death of the hon. Francis Caulfield, his favorite brother, who represented one of his lordships' boroughs, and who was lost in the passage between Parkgate and Dublin, on his way to attend his parliamentary duty. It is a strange truth, that one of these losses was destined by Providence to compensate for the other. The vacancy in the representation occasioned by the death of Mr. Caulfield was filled up by Mr. Grattan, and thus was the defection of Mr. Flood even more than retrieved to his country. Before we notice the splendid parliamentary exertions of Mr. Grattan, it is necessary to take a brief review of the state of Ireland, at the period of his first return to parliament. It is impossible to conceive any country in a more forlorn and destitute situation. The treasury was utterly exhausted by a continued system of extravagant prodigality; the provision trade was destroyed by an embargo; the war with North America sus-

pending the linen trade, and thus the great staple commodities, both of the North and the South remained totally unproductive. In addition to this, religious animosity created "a wall of separation" between the landed interest and the people. The Protestants who possessed a monopoly almost of every beneficial property in the country, exercised their supremacy with a relentless rigour, which nothing but a union of self-interest and sectarian pride could have inspired; and the Catholics were ground down by a system of oppression, which must have made any change a blessing. The penal code, *as it then existed*, was unrelieved by a single modification; and as its total repeal was the principal object of the latter years of the life of Mr. Grattan, it may not be amiss here to recapitulate a few of its then restrictions. We take the enumeration from two books of authority on the subject—"A statement of the Penal Laws" and "Sir Hen. Parnell's History of the Irish Popery Laws." The list which we subjoin is curious, when it is considered that some of them were enactments, of so late a date as the reign of George II. No protestant was allowed to marry a papist;—no papist could purchase land, or take a lease for more than thirty-one years, and if the profits of the land so leased amounted to more than a certain sum, the farm was to belong to the first protestant discoverer;—no papist could be in a line of entail, but the estate was to pass on to the next protestant relative;—no papist could hold any office, civil or military, or dwell in certain specified towns, or vote

at elections. The wives of papists were to have an increase of their jointure on conversion; rewards were payable on the discovery of popish clergy—50*l.* for discovering a bishop—20*l.* for a common clergyman, and 10*l.* for a popish usher! Two justices were empowered to compel any papist above 18 years of age, to discover every particular which had come to his knowledge respecting popish priests, celebration of mass or popish schools—imprisonment for a year if he refused;—nobody to hold property in trust for a Catholic;—in every case growing out of the penal statutes, the juries must be exclusively protestant—no Catholic capable of serving on a grand jury;—papists neither to be high nor petty constables;—papists in towns to provide protestant watchmen, and to be incapacitated from voting at vestries;—papists incapable of being called to the bar;—barristers and solicitors marrying papists to be considered papists, and liable to all the consequent penalties;—persons robbed by privateers during war with a popish prince, to be indemnified by money levied upon catholics only;—any priest found guilty of celebrating a marriage between a protestant and a catholic, to be hanged.

Such was the state of the Catholic population of Ireland upon Mr. Grattan's entrance into parliament. The situation of the country in the abstract was only nominally better. Ireland was indeed called a nation, but she was in reality a province. Her legislative body was totally dependent on the caprices of the British minister; her law courts were subject to an appellant,

final jurisdiction in England; her commerce was fettered by the most oppressive restrictions; and her starving manufacturers covered the country with a face of famine. Subscriptions, associations, local remedies and wretched expedients had worn themselves out in experimental amelioration. The exhausted people applied to England for an extension of trade, and were met by an outcry of commercial jealousy; the timid applied for protection from invasion, and the minister plainly confessed the deficiency of his resources. The combined fleets of France and Spain rode unopposed in the channel, and the military force of the empire was inadequate to meeting the emergencies in North America. This was the picture which Ireland then presented, and the Irish parliament looked on without an effort; its members were quite helpless as a council and as individuals, energetic only in their personal speculations. What patriotism did not attempt, danger effected. The fear of an invasion forced the people into an armed coalition for their security, and an overwhelming military force raised, armed, accoutred, and organized at private expence, suddenly appeared to repel the incursion of at least any foreign enemy. This had its effect. The hostile fleets just hovered around the coasts and contented themselves without any more perilous experiment. But a more serious crisis, even than that consequent on invasion, now presented itself to the British minister. The people, whose armed aspect thus intimidated a foreign foe, were now conscious of their strength, and determined on the eradica-

tion of their domestic grievances. It was in vain for government to remonstrate: their weakness had compelled them to suffer the organization of a force which was self-raised, self-armed, self-officered, and self-paid; and which had accustomed itself to act independent of all control—it was in vain for government to endeavour to disunite them: a recollection of past sufferings, a sense of present strength, and a fear of future relapse cemented them firmly together; all ranks crowded to the national standard; and Grattan was determined to rouse the parliament, if possible, to a constitutional co-operation. In conjunction with Hussey Burgh, he moved, in the session of 1779, his first experimental resolution, that, “Nothing but a free trade could save the country from ruin.” Government attempted an ineffectual opposition—the motion was carried—the House of Commons proceeded with an address founded on it to the castle, and the streets through which they passed were lined with the volunteers under arms. The subject came afterwards to be discussed in the British parliament, which at length affected to concede what it had not the possibility of withholding, and thus was the first step taken in the march of emancipation. But it was only the first, however important, both as an example and a beginning. It was hailed by the people of Ireland with an enthusiasm tremendously re-echoed by eighty thousand men in arms. Grattan took advantage of the crisis; and, after having rescued the commerce of the country, he determined on the disenthralment of her legislature. On the

16th of April, 1782, he came forward in the Irish House of Commons and moved the famous resolutions upon which Irish liberty was afterwards at least temporarily founded. As a specimen of the spirit which filled, and the eloquence which inspired him, we cannot refrain from an extract or two from an oration which smote upon the heart, and nerved the arm, of his country. “I have,” said he, “entreated an attendance of the house on this day to protest against the usurpations of the parliament of Great Britain, and to join with me in lifting up their hands and voices against such usurpations. Two millions of people out of doors are to be satisfied; and had I a son, I would, like the father of Hannibal, bring him to the altar to swear the sacred maintenance of the people’s rights. I would move the people to as full and ample a declaration as can be done without shaking the pillars of the state. It is impossible to stop the voice of millions—enough is not done—the public mind is not at ease. You are the guardians of the public liberty—you owe your country that liberty and she calls on you to restore it—she calls upon you to make Great Britain revoke the injustice of her laws and to restore your political, as she has your commercial, freedom. In passing the bills for liberating your trade, she has made use of the words, “*that it was expedient to allow Ireland to export her own products.*” Expedient is a word fatal to Great Britain—by that word she lost America and plunged her country in scenes of blood. By this reservation, your trade is in the power of England

whenever she thinks proper to take it away. God has afforded you an opportunity to emancipate yourselves and your posterity: wait not the issue of a general peace when the direction of her power on this ill-fated island may again lay you in bondage. For the honour of your country—for the honour of human nature—by the memory of your sufferings—by the sense you feel of your wrongs—by the love you owe your posterity—by the dignity and generous feelings of Irishmen, I beseech you to seize the auspicious moment and let this be the hour of your freedom.” And again in the same speech—“If England is a tyrant, it is Ireland makes her so by obeying. The slave makes the tyrant. What is to prevent the completion of our demands. The enemies of England are on all sides pouring in on her. The sea is not hers; the honour of her councils and arms is tarnished. She has no army—no fleets—no admirals—no generals—a supineness pervades her measures and distraction attends her councils. It is not in her power to resist. Can she war against ten millions of French, eight millions of Spaniards, three millions of Americans, three millions of Irish? She offered America the entire cession of her parliamentary power, and can she refuse the Irish the freedom of fellow-subjects. But the king of England has no title to his crown except that which you have to your liberty—if your exertions in that cause are condemned, the Revolution was an act of perjury, and the Petition of Right an act of rebellion. The oaths made to the

house of Stuart were broken for the sake of liberty, and we live too near the British nation to be less than equal to it. Insulted by the British parliament, there is no policy left but to do justice to a people who are otherwise determined to do justice to themselves. Let not that supremacy which has withered the land remain uncontroverted. Do not let the curses of your children and your reflections in old age, weigh you down to the grave with bitterness. Forgetful of past violation and present opportunity, let nobody say the parliament was bought by a broken ministry and an empty treasury—that, having made a God of self-interest, you knelt down to worship the idol of corruption. Your exertions now will be the basis for erecting a temple to Liberty. By the inspiration of the present opportunity; by the affection you owe posterity; by all the ties which constitute the well being of a people, assert and maintain the liberties of your country. I have no design, I ask for no favour but to be allowed to breathe in common in a land of freedom; but I never will be satisfied as long as a link of the British chain is clanking to the heels of the meanest peasant.”—This speech, of which the passage we have given is but an inefficient fragment, failed in its effect on the assembly to which it was addressed. The Irish House of Commons rejected the proposition, for the more favourable subsequent reception of which, however, it undoubtedly prepared their minds. But its effect on the people was instantaneous and electric—it communicated an irresistible im-

pulse throughout the country, and the volunteers were summoned to a grand convention at Dungannon, to take into consideration the best means of emancipating Ireland. On the 15th of February, 1782, the representatives of one hundred and forty-three corps met in that town, and these were but the delegates of a single province. Their address was short and spirited and spoke in language not to be mistaken. It concluded thus—"We know our duty to our sovereign and are loyal—we know our duty to ourselves and are resolved to be free. We seek for our rights and no more than our rights; and in so just a pursuit, we should doubt the being of a Providence, if we doubted of success."—In the month of April, following this convention, the duke of Portland arrived in Dublin as lord lieutenant. It was quite plain that a crisis was fast approaching. In two days after his arrival, the House of Commons met, and the summons by which they were called together concluded with a request, "that every member should attend as he tendered the rights of parliament." On the day of their meeting, Mr. Grattan went up alone to the castle, produced his resolutions to the government and unequivocally declared, that even his respect for a whig administration must give way to the paramount duty which he owed to his country. The duke of Portland was staggered at the strength of the resolutions, and attempted in some degree to modify them; but their author immediately took up his papers, bundled them under his arm, and walked down to the House of

Commons amid the shouts of the military and the blessings of the people. Soon after the Speaker had taken the chair, Mr. Grattan rose—it was an awful moment—one on which perhaps the fate of an empire depended: had government interfered, it was more than probable that an instant and simultaneous rising would have been the consequence—the great body of the people were in arms, organized, disciplined, and determined—the administration was paralysed. America had vindicated herself; and the Channel fleet, with scarcely a sailor to man it, presented to the view of France and Spain, only so much ostentatious and useless timber. Mr. Grattan was perfectly aware of this when he rose, although he was also perfectly ignorant as to the intentions of the minister with respect to his motion. The main purport of his resolution was, the repeal of the statute of George I.; by which England claimed a right to legislate for Ireland. He was at the time in a most feeble state of health—his frame seemed bent down by debility, and every one supposed he must have sunk under the exertion—but as he proceeded, he warmed with the subject—appeared to shake off not merely illness but mortality, and amid the tumultuous enthusiasm of the House, he carried his resolution that, "no power on earth could make laws to bind Ireland except her own King, Lords, and Commons." The motion was afterwards proposed and carried in the English parliament, and thus in a very few years, Mr. Grattan disencumbered his country of the fetters which centuries had rivet-

ted, and followed up his acquisition of a free trade, by the no less important establishment of a free constitution. The delight and gratitude of the people were unbounded; addresses poured in on him from every village in Ireland; statues were voted to his honour, and the man who but a short time before, had retired from the bar disheartened and disgusted, was now universally followed as a demigod. Nor was the legislature itself deficient in gratitude to their deliverer.—

Mr. Grattan, we have seen, was not in very opulent circumstances, and in order that he might himself participate in the prosperity he had acquired for others, a munificent grant of 100,000*l.* was proposed to him as some testimony of the estimation in which he was held. The proposition was subsequently reduced to half the sum, on the express understanding that the object of the bounty would refuse to receive it altogether, unless it was thus diminished: the amended resolution was accordingly carried, almost by acclamation. Nor was Ireland slow in testifying her sense of the conduct of the British minister; she instantly voted a supply of twenty thousand seamen to the navy. So far Mr. Grattan was a proof of the gratitude of a people: he was soon destined to become a no less striking example of their fickleness. The resolution which he had moved and carried in the Irish parliament was for the *simple repeal* of the act of George I., which then was considered all-sufficient. In a short time, however, an opinion seemed to prevail, that the mere repeal

of this act was not in itself sufficient, it being in fact only *declaratory* of what the law was supposed to be before its enactment, and that therefore the repeal should be accompanied by a total renunciation of the alleged right. This opinion was seized and warmly supported by Mr. Henry Flood, a gentleman of great influence and transcendant eloquence. After he had promulgated this idea and gained many converts by the powerful argument with which he enforced it, an act was passed by the British parliament, “to allow the importation of sugars from St. Christopher’s into *any of the ports of his majesty’s dominions.*” This general expression was supposed to include Ireland, which renewed the previous argument, and occasioned a second speech from Mr. Flood in support and reiteration of his previous assertions. He spoke with much energy, and the last sentence of his address evinced the sincerity of his opinions—“Were,” said he, “the voice with which I utter this, the last effort of expiring nature—were the accent which conveys it to you, the breath which was to waft me to that grave to which we all tend, and to which my footsteps rapidly accelerate, I would make my exit by a loud demand of your rights; and I call upon the God of truth and liberty, who has so often favoured you, and who has of late looked down upon you with such a grace and glory of protection, to continue to you his inspirings—to crown you with the spirit of his completion, and to assist you against the errors of those who are honest, as well as against the machinations of all who are not so.” These latter

expressions were unfortunately applied by Mr. Grattan to himself, who replied in a strain of most bitter severity. Flood was not a man to bear reproach in silence; he retorted indignantly, and, amongst other topics, reproved Mr. Grattan for accepting the bounty of parliament, insinuating at the same time, that the acquiescence of the minister in the grant was bought by the mover's not insisting upon a total renunciation. "I am not," said he, "the *mendicant* patriot who was bought by my country for fifty thousand pounds, and who sold her again for prompt payment. I have done more service to my country with office at my back, than the right hon. gentleman ever did with mendicancy behind him." The dispute rose to a pitch totally unprecedented in any legislative assembly, and certainly creditable neither to the parties themselves, nor to the House which permitted the altercation. An arrest fortunately prevented any further consequences on that evening, and next morning, the parties were brought in custody before chief-justice Annaly, who bound them both over to keep the peace in recognizances of 20,000*l.* each. The friends of Mr. Grattan did not hesitate to impute personal jealousy to Mr. Flood on this occasion, and shortly after the following epigrammatic dialogue appeared on the subject in the daily journals:

Question.—Say, what has given to Flood a mortal wound?

Answer.—Grattan's obtaining fifty thousand pound.

Question.—Can Flood forgive an injury so sore?

Answer.—Yes, if they give him fifty thousand more.

It is, however, only doing Mr. Flood an act of justice to say that the imputation does not appear to have been well founded. He had not, as far as we have heard, at all the character of a mercenary man; and the testamentary appropriation of his property to literary purposes connected with the honour of his country, however frustrated in the event, proves at least his personal disinterestedness. His antagonist, indeed, on a subsequent occasion generously did him justice.—"I should," said he, in a pamphlet, part of which we have already quoted, "be unworthy the character of his rival, if, even in his grave, I did not do him justice. He had his faults—but he had great powers—great public effect: he persuaded the old—he inspired the young—the castle vanished before him—put into his hand a distaff, and, like Hercules, he made sad work of it; but give him the thunderbolt, and he had the arm of a Jupiter."—The sketch does justice to the merits of the one, and great credit to the memory of the other. On the great question of their dispute, it is now useless to deny that Mr. Flood converted the great majority of the nation. Grattan in vain urged every topic which suggested itself to his great mind. He insisted that the faith of England had been pledged by the repeal, and that if the faith of kindred nations was not to be relied on, open war alone could terminate their conflicting pretensions. Ireland could not expect that England would so far prostrate itself as in a subdued and grovelling tone to confess an usurpation. The nation, he said, which insisted on the humilia-

tion of another was a foolish nation. The Irish, however, continued much dissatisfied, and every art was used to fan the flame throughout the kingdom. Flood did not exert his eloquence in vain, and on the 31st of July the volunteers assembled at Belfast, and declared, by a majority of two, "that the nation should not be satisfied with what had been done." The nation was not satisfied, and their sentiments were loudly and unequivocally expressed. The usual consequence in such cases followed. The tide of popularity set strongly in, in favour of Mr. Flood and against Mr. Grattan. His language was mis-stated; his sentiments misrepresented; his principles suspected; and at length, with a disheartened spirit and an enfeebled constitution, he set out for Spa in August, 1782, for the recovery of his health. The "renunciation," which Mr. Flood had so strenuously advocated, was accomplished soon after. A writ of error had, before the success of the simple repeal, been transmitted to the court of King's-bench in England, which came in its turn for argument before lord Mansfield, then chief-justice. His lordship heard and decided the cause, declaring that he was not aware of any statute to abrogate the ancient usage of the court. Of course the people of Ireland, who had been led by the advocates of the simple repeal, to suppose themselves invested by that measure with a final jurisdiction were all again in commotion. At length, to set all at rest, the administration of lord Temple had a complete renunciation bill, ready draughted, transmitted to England, where it passed through

both houses of parliament without remark, into a law.

In the government of lord Northington, Mr. Grattan and his friend and patron lord Charlemont, were jointly sworn in members of the Irish privy council. We have already said that circumstances will not allow us to go minutely into the details of the life of this eminent man. His deeds are recorded in the Journals of the House to which he exclusively devoted himself; and there, wherever they may now be, the achievement of a free trade, a free constitution, and a considerable relaxation of the penal code, stand emblazoned beside his name. He also advocated, in some splendid speeches, a modification of the tithe system, in which, unfortunately for the country, he was unsuccessful. He prophetically told the Irish House of Commons that, until this system was modified, there never could be peace in Ireland. Thirty years have gone by since that declaration—the system has remained the same, and so has Ireland. The following picture of primitive Christianity has always appeared to us eminently beautiful. "Had the Apostles advanced, among the Jews, pretensions to the tenth of the produce of Judea, they would not have converted a less perverse generation; but they were humble and inspired men; they went forth in humble guise, with naked feet, and brought to every man's door, in his own tongue, the true belief; their word prevailed against the potentates of earth, and on the ruin of barbaric pride and pontific luxury, they placed the naked majesty of the Christian religion. This light was soon put down by its own mi-

nisters; and, on its extinction, a beastly and pompous priesthood ascended—political potentates, not Christian pastors, full of false zeal, full of worldly pride, and full of gluttony, empty of the true religion—to their flock oppressive, to their inferior clergy brutal, to their king abject, and to their God impudent and familiar. They stood on the altar, as a stepping-stone to the throne, glozing in the ear of princes whom they poisoned with crooked principles and heated advice; and were a faction against their king, when they were not his slaves; ever the dirt under his feet, or a poniard in his heart. Their power went down; it burst of its own plethora, when a poor reformer, with the gospel in his hand and in the inspired spirit of poverty, restored the Christian religion.”—Notwithstanding all his efforts, however, and they were many and magnificent, he succeeded in no part of his tithe project, except in the Barrenland bill. On the accession of lord Fitzwilliam to the Irish government, his hopes and those of his country were considerably excited. The spirit and intention of the appointment was universally supposed to be concession; and it is said, upon good authority, that in a personal interview between the British minister and Mr. Grattan, a distinct understanding was come to, that something should be done for Ireland. Accordingly on the arrival of the lord lieutenant, he, for the first, and indeed the only time in his life, moved the address. Soon after this, he promptly and earnestly brought forward the measures which his mind suggested, as most beneficial to the country;

but lord Fitzwilliam was suddenly recalled, and all the hopes of Ireland and promises of Mr. Pitt, vanished along with him. This abrupt measure at such a moment was considered by all the friends of the connexion as most detrimental to the British interests in Ireland. “It lost,” said Mr. Grattan, “to Great Britain, *the heart of the Irish nation.*” After this event, Mr. Grattan and his friends proposed in parliament the two measures which they supposed most essential, namely, Catholic emancipation, and a reform in the representation; and, having failed, they seceded from political life. At the general election in 1797, he came forward with an elaborate address to his constituents, reviewing the principles which he had supported, lamenting the ill success of his propositions, and declining the further representation of the city. His retirement was unfortunately embittered by ill health. Close attention to business, disappointment at the failure of his projects, the spectacle of his country torn by intestine divisions, and a natural indignation at the course which government pursued, all preyed upon his mind and harassed his constitution. He was attacked by a slow nervous fever, which for a long time resisted every remedy, and refused to give way either to the amusements of society or to a change of climate. In the mean time, the sanguinary rebellion of 1798 raged in Ireland; all the dreadful consequences of such a commotion followed, and the innocent and the guilty were involved together in indiscriminate destruction. It is neither our duty nor our incli-

nation to dwell on the miseries of that infatuated season, further than as the subject of this memoir is concerned. It was not to be supposed that such a man should escape the fury of a mis-called loyalty: he was, on the contrary, openly denounced; his person was menaced, and the writer of this memoir knew a miscreant who actually boasted that he went down, at the head of a body of armed orangemen to Mr. Grattan's house for the purpose of his destruction. Fortunately, he had previously departed for England, where, amid the shades of Twickenham, he endeavoured to forget the wretchedness of his country. "At length," says his son, in a brief memoir of his life, "the question of Union called him forth, and in 1800 he was elected for the town of Wicklow. News of the return came to him at night; his immediate attendance was required; his friends sent for him; he was at that moment overcome with pain of body and mind, and exclaimed, '*What! will they not allow me to die in peace!*' However he was resolved to go; for public duty and private considerations both impelled him. He bade farewell to his family and friends, for though he did not fear, yet he had reason to apprehend danger from the fury of the times, the violence of faction, and the vengeance of a resentful and desperate party. He came into the House, supported by Mr. (afterwards judge) Moore and Mr. W. B. (afterwards lord) Ponsonby. Several who beheld the scene have described it as interesting to a great degree. The weak state of the individual, the report

that an attack on him was meditated, the vast importance of the subject in debate, and the awful crisis on which hung the fate of the parliament of Ireland, and that of the independent constitution of which he was the parent and founder; all these circumstances which might have depressed an ordinary individual, and one enfeebled by illness, served only to rouse and inspirit him. He spoke sitting, but with all his wonted fire and animation, and there delivered those speeches which, while they record his exertions in defence of the Irish parliament, remove from *his* grave the foul disgrace of standing apart, while a deadly blow was aimed at the independence of his country." The blow to which his son alludes, and with which he was menaced was struck. Mr. Corry, the Irish chancellor of the exchequer, made a violent personal attack on him, to which he replied by an invective, rarely equalled in the annals of vituperation. The consequence was an immediate meeting, in which Mr. Corry was wounded in the arm. Thus was Mr. Grattan elected for Wicklow at twelve o'clock; received into the House at four, and obliged to risk his life at eight. The result of the Union debate is well known—the way in which that measure was carried is not however, perhaps, quite so notorious as it ought to be. Mr. Grattan said, sitting in that House, whose members knew well that he was speaking with the tongue of history—"the peerage was sold—the caitiffs of corruption were every where—in the lobby—in the street—on the steps—and at the door of every parliamentary

leader—their very thresholds were worn by the members of the then administration, offering titles to some, amnesty to others, and corruption to all!” Mr. Grattan foresaw in the Union even more than the political annihilation of his country—he foresaw, and too clearly, the state of local poverty and wretchedness to which she must be reduced by the emigration of all her men of consequence, and the drain on her resources which an absenteeism must unavoidably occasion. When the Irish parliament had thus put an end to its own existence, he retired dispirited from public life; but when the Roman Catholic question came to be agitated in the Imperial Parliament, he suffered himself to be once more drawn from his seclusion, and at the particular request of Mr. Fox, he was returned for one of lord Fitzwilliam’s boroughs. In the Imperial Senate he was completely successful, and fully established his early reputation. After this, he continued to represent the city of Dublin for four successive parliaments. On the accession of the present king, he determined, against the advice of all his physicians, on proceeding to London to bring once more the case of his Catholic countrymen before parliament. He travelled by slow and painful stages, and died almost immediately after his arrival, on the 4th of June 1820, after having devoted forty-five years to the service of his country. It ought not to be omitted, even in the most imperfect sketch, that whenever the party with

whom he acted came into power, which they did more than once, he uniformly refused the acceptance of office. Mr. Grattan experienced all the vicissitudes of a public man, but he bore all with the fortitude of the *mens conscia recti*. His political casualties have been thus well summed up: “never was there an individual whose life was more the sport and prey of political rage and tempest—idolized by the people at one moment; cashiered by them in the next; denounced as an enemy to his country—then deified as the strenuous champion of the constitution; traduced as the deserter of the civil liberties of his countrymen; dismissed as the betrayer of their religious freedom; elected by the general voice of the people, and almost stoned to death in the midst of his native city.” The reader will find this a strictly historical catalogue if he refers numerically to, the free trade—the simple repeal—the rebellion of 1798—the Union—the Insurrection act—the Veto, and the year 1818!—a melancholy instance of the mutability of popular favour.

He was honoured with a public funeral* and a grave in Westminster-abbey, where his coffin almost touches that of Mr. Fox. When an inscription shall be placed upon his tomb, the historian may write there, and write truly, that in private life he was beloved and respected, and in public life an honour to the country which gave him birth.

* See Chronicle, page 230.

MEMOIR OF VICE-ADMIRAL SIR
THOMAS FREEMANTLE, G.C.B.
COMMANDER-IN-CHIEF OF HIS
BRITANNIC MAJESTY'S FLEET
IN THE MEDITERRANEAN, &c.
&c.

Although this distinguished officer died at the close of 1819, yet, as his death was unknown in this country until 1820, we make no apology for presenting our readers, in the present volume, with the following statement of his professional life and public services, with which we have been favoured by a correspondent.

Admiral Freemantle commenced his career in the British Navy (1777) at the age of twelve years, under captain Salter in the Hussar frigate, when he entered as midshipman. From this ship he was soon removed to the Phoenix frigate, commanded by sir Hyde Parker, one of those vessels wrecked in the dreadful hurricane of the year 1780, off the island of Cuba, but whose crew were saved. He afterwards served under that distinguished officer, sir Peter Parker, commander-in-chief of the Jamaica station, until the termination of the American war, in the year 1782, when he was promoted to the rank of lieutenant. In 1791, he was raised to the rank of commander, and was employed in the channel fleet in a fire ship.

At the commencement of the war with France, he attained the rank of post-captain; and on the sailing of a fleet under the command of lord Hood to the Mediterranean, was appointed to the command of the Tartar frigate, which accompanied this expedi-

tion. On this service he continued for some years, and the Tartar was the first ship which entered the harbour of Toulon on its surrender to the squadron commanded by lord Hood. While commanding this vessel, he captured the French privateer, General Washington, of twenty-two guns, and was engaged at the siege of Bastia, where his crew were employed on shore in the batteries. In the year 1795, captain Freemantle was promoted to the command of the Inconstant frigate of 36 guns, where in a very few months he had an opportunity of distinguishing himself, his ship taking the lead in the memorable action of the fleet under the command of lord Hotham, as recorded in the public dispatches, where in sight of the advancing British squadron, the Inconstant attacked the Ca Ira, a French ship of 80 guns, and so crippled her, as to render her an easy prize, together with the Couragieux, which latter vessel he towed in safety into Leghorn Roads. He was afterwards employed under commodore Nelson on the coast of Genoa, and among other services, cut the gun boats of the enemy out of Languillan: he likewise captured the Lively French sloop, of 18 guns.

In 1796, the Inconstant took possession of Piombino, aided by colonel Wemys, who had the command of 600 troops. And in the same year captain Freemantle took the Unité French frigate, of 36 guns, and was part of the force with sir Horatio Nelson, at the capture of the island of Elba. He was afterwards dispatched, with the command of three frigates, to settle a

dispute with the Dey of Algiers, whom he compelled to concede to the demands that were made. When Buonaparte made his entry into Leghorn, captain Freemantle had the command of a small squadron at that port, where by his judicious and active arrangements, he was the means of saving all the English vessels, and naval stores, and contrived to embark all the British property; for which service the English factory presented him a piece of plate of the value of three hundred guineas, as a testimony of their respect and gratitude; and he received the public official approbation of the Board of Admiralty.

When earl St. Vincent quitted the Mediterranean, in the same year, captain Freemantle was left in command of the squadron at Elba, consisting of 16 sail of vessels. After this period he was removed to the command of the *Sea-horse* frigate, and when earl St. Vincent maintained the blockade of Cadiz, this ship was constantly employed in the advanced squadron, under sir Horatio Nelson, whom this officer invariably accompanied in his nightly attack of boats. In these desperate encounters, captain Freemantle had the good fortune, when in the same boat, to save the life of the gallant Nelson, by striking down a French seaman who had nearly overpowered him, after a strong contest, hand to hand for some minutes. From this severe and arduous service, he was selected by his friend and renowned companion to accompany him, in the unfortunate expedition against Teneriffe. In this attack he was severely wounded in the arm by a musket

shot, a few moments after sir Horatio Nelson had received the wound which deprived him of his arm; he was brought back to his ship, in the same boat with his commander, who passed on to undergo an amputation. It is a singular circumstance, that the first note ever written by the gallant Nelson with his left hand, was addressed to captain Freemantle's wife (then on board the *Sea-horse*) in these words, "My dear Mrs. Freemantle, tell me how Tom is; I hope he has saved his arm—mine is off, but, thank God! I am as well as I hope he is—ever yours, H. Nelson." From this expedition captain Freemantle returned to England, bringing sir Horatio Nelson as a passenger; and after remaining at home near twelve months for the recovery of the use of his limb, he was appointed to the command of the *Ganges*, of 74 guns. In this ship he was ordered to join the fleet destined to the attack of Copenhagen, under the command of his old captain, now admiral sir Hyde Parker, and was moored next ship to sir Horatio Nelson, in the desperate attack of the fleet off that city. During the heat of this engagement, he was hailed by his commander to come on board his ship, on which occasion he consulted and employed him in the conferences and negotiations which took place. After this brilliant achievement, he was dispatched to the court of Petersburg, to communicate and explain these proceedings to the Russian government.

The next ship which captain Freemantle commanded, was the *Neptune* of 98 guns, and in this vessel he joined the fleet under

the command of Lord Nelson, previous to the ever-memorable and splendid victory off Trafalgar, in which the Neptune was particularly distinguished, fighting side by side with the heroic commander, and compelling the Soleil, of 120 guns, the largest ship in the enemy's line, to strike her flag to the British Neptune.

In the year 1807, captain Freemantle was appointed one of the lords commissioners of the Admiralty, and was elected member for the borough of Sandwich; but on a change of the government, he quitted parliament and his official situation, and devoted himself exclusively to his professional duties. He was promoted in 1809 to the rank of rear admiral, and was immediately dispatched to the Mediterranean, where he hoisted his flag on board the Ville de Paris of 120 guns, and remained cruizing with the fleet off Toulon, under the command of lord Collingwood, until he was sent in the Minden of 74 guns, to resume the command of the station on the coast of Sicily: there, in conjunction with general lord William Bentinck, he maintained the tranquillity of that kingdom, and resisted with success the constant and repeated attacks of the French from the coast of Naples under the authority and dominion of Murat.

At the termination of the war in the year 1814, captain Freemantle was in command in the Adriatic seas, where in the course of eighteen months, he had not only blockaded the port of Venice, and prevented the sailing of two line of battle ships, but his squadron, consisting only of the

Minden, and two or three frigates, by its activity and vigour compelled every fortress on those coasts to surrender, and took possession of every harbour, closing this successful career by the capture of the city of Trieste, where the British seamen, under the command of admiral Freemantle, united with a small body of Austrian troops, commanded by general Count Nugent, made regular approaches, and battered the citadel until the enemy was compelled to surrender. This capture was of the most essential importance, opening a port once more in the Mediterranean seas, for the importation of British merchandize, which had been closed from the period of the famous Milan decree issued by Buonaparte for excluding English goods from the continent. In the course of these gallant achievements, no less than one thousand pieces of cannon were taken from the enemy, or destroyed in the different fortresses, as were also all their shipping, stores, and ammunition in the Adriatic seas. For these distinguished services the emperor of Austria conferred on admiral Freemantle the commandership of the military order of Maria Theresa, and created him by letters patent a baron of the Roman empire, with survivance to his heirs male: at the same period the king of the two Sicilies was pleased to invest him with the grand cross of the order of Ferdinand, and of Merit; and shortly after, on the increase of the establishment of the order of the Bath, the Prince Regent was pleased to name him a commander of the order.

On the renewal of the war

with France, occasioned by the return of Buonaparte from Elba, sir Thomas Freemantle was appointed to the command of the island of Jersey. But after the treaty of peace signed at Paris in the year 1815, he retired with his family to the continent, and remained in the Italian states till 1819, when he was appointed to the command-in-chief of the British squadron in the Mediterranean. His majesty's ship *Rochfort*, of 80 guns, was sent out to receive his flag, which he hoisted in Leghorn Roads, in the month of March of the same year. Immediately afterwards he sailed to the African coast to settle some differences then subsisting with the states of Tunis and Algiers. On this expedition he was accompanied by admiral Julien, named by the government of France; and in the course of a very short time these disputes terminated most satisfactorily, and measures were taken to prevent the recurrence of them, and to secure for the future the British and European shipping, from the depredation of these piratical states. Sir Thomas returned from this expedition in the month of November, 1819; and, after touching at Malta, sailed to Naples, whence he disembarked; and where, on the 18th of December of the same year, he was suddenly attacked with an inflammatory fever, which falling on the intestines, put a period to his existence in less than 48 hours, in the 53rd year of his age.

In the year 1818, the Prince Regent conferred the Grand Cross of the Order of the Bath on admiral sir Thomas Freemantle, and in 1819 he was pro-

moted to the rank of vice admiral, and named a Knight Grand Cross of the Hanoverian Order of the Guelph. On the creation of the order of St. George and St. Michael, sir Thomas was also named to the first class of the same. In his professional career, this distinguished officer was the friend and intimate companion of lord Nelson, with whom he had served on different stations and in different climates for many years. He had been protected by lords Hood, St. Vincent, and Collingwood, and stood pre-eminent in character as an able and enterprising officer. To an intelligent and active mind, he added a prompt and decisive judgment; and his sudden and premature death may justly be considered as a loss to the British naval service.

MEMOIR OF MR. JOSEPH RITCHIE,
THE AFRICAN TRAVELLER.

Considerable interest has of late years been excited in favour of Africa, and attached to every inquiry connected with that country. Of the interior of this immense continent, comparatively little is known, even at the present day, although its *terra incognita* occupies a much less space upon our maps than it has hitherto done. Still much remains to be done before its remoter parts are explored; and years, perhaps centuries, may elapse ere this desirable object be accomplished. The advantages which may reasonably be expected to accrue both to Africa itself and to other countries, from the civilization of the former and its future intercourse

with the rest of the world, are in every respect highly important. To the philanthropist it is gratifying to anticipate its moral effects, and to look forward to the period when so large a portion of the human race shall be rescued from barbarism and degradation; to the philosopher not less so is the contemplation of the extension of intellect in countries now buried in ignorance, and of the fresh acquisitions in science and knowledge to be thence derived to ourselves. New interests will arise to the statesman, and more immediate ones to the commercial speculator. The African Institution, of which some mention has been made in the memoir of sir Joseph Banks, was established in 1788, for the purpose of promoting discoveries in the unexplored, or but imperfectly known, tracks of this immense continent. The two first travellers sent out on this perilous mission were Ledyard and Lucas. The former was preparing to cross the country in its widest extent from east to west, when death deprived the world of what it might reasonably expect from an undertaking of such magnitude; he falling a victim at Cairo to a fever arising from disappointment, impatience, and mental irritation. Nor was his fellow-labourer Mr. Lucas more successful, for he terminated his peregrinations the following year at Mesurata. Since that period a number of distinguished travellers have fallen a sacrifice to zeal and enterprise; among these may be mentioned Mungo Park, Hornemann, capt. J. R. Tuckey, Brown, Burkhardt and lastly the subject of the present sketch, whose untimely death has been a source of regret

to those acquainted with his competence for the laborious undertaking in which he was engaged, and justly expecting from it the most satisfactory results.

Mr. Ritchie* having been employed by the British government to explore the interior of Africa, a task to which he was well fitted by superior scientific attainments, arrived at Malta in September 1818, accompanied by M. Dupont, a Frenchman, whom he had engaged for the purpose of collecting and preparing specimens of natural history. Disappointed of a companion in captain Marryat, who, he expected would have joined the mission, Mr. Ritchie readily embraced the offer made to him by lieut. Lyon, who proposed to supply that gentleman's place: he then proceeded to Tripoli alone, Mr. Lyon, waiting at Malta until he received permission from admiral sir C. V. Penrose, to quit the Albion and join Mr. Ritchie. At Tripoli the travellers assumed the Moorish costume, in compliance with the advice of the bashaw: here too they were flattered with promises of protection by Mohammed El Mukni, Bey of Fezzan, who assured them that, when arrived with him at his dominions, he would assist Mr. Ritchie to the utmost of his power, although his subsequent conduct proved that his courtesy was merely assumed for the most sinister purposes. As Mukni deferred his return into the interior for some time, Mr. Ritchie and his friend made an excursion to Beniroleed and the Gharian Mountains. On their return to

* He was a native of Otley in Yorkshire.

Tripoli, Mr. Ritchie was obliged to make application to lord Bathurst for a further supply of money, his pecuniary resources being nearly exhausted. The 2,000*l.* allowed by government for the mission had been expended in purchasing instruments, arms and merchandize; and unfortunately the latter had been selected with so little knowledge of what was most suitable, that, with the exception of the articles of cutlery, no part of it would sell. Mukni indeed owed them 300 dollars for articles procured for him from Malta, by Mr. Ritchie, and this small sum was all they could depend on for support. Their expedition into the interior commenced, therefore, not under the most auspicious circumstances. We now proceed to give the account of such events as more immediately relate to Mr. Ritchie in Mr. Lyon's own words.

"Being now settled for a time in Morzouk, we went about, in order to become better acquainted with the people. Mr. Ritchie made magnificent presents to the Sultan and his sons, and every thing seemed to promise well, except that we had but little money, and were obliged to live in a most economical manner on corn, and seldom able to afford meat; having not only ourselves but our black servant and four horses to feed.

"We had now acquired some little knowledge of the language, when, on the first Friday after our arrival, Mukni sent to tell us that he intended going to the Mosque at the Asr, or afternoon prayers, and that he expected to see us there. As this was to be Mr. Ritchie's first appearance in

a Mosque, we had no sooner dressed ourselves in our best clothes than we practised the necessary prostrations, until we heard the crier call to prayers, when our old Mameluke came to conduct us to the church. We found a large assembly sitting in rows on mats, our places being in front. The Sultan soon after entered with his guards, and the Mosque was instantly filled with a strong smell of attar of roses, which his majesty used in large quantities. Mr. Ritchie and myself got through our part very well, and after the service was over, waited at the door to see the Sultan mount and return to the castle.

"His horse, richly caparisoned, was led to an earthen seat, from which he mounted, three led horses preceding him. He was surrounded by his armed slaves, and fanned by men with ostrich feathers; and thus proceeded slowly, and amidst an immense crowd to the castle, a distance of about five hundred yards. When arrived there, he remained for a few minutes in the courtyard, seated in his state chair, and receiving the homage of his subjects, leaning on two of his principal people; he then ascended into the castle, where we followed him, and were allowed to sit on the same carpet as himself. He here paid to Mr. Ritchie the three hundred dollars which he owed him, and at the same time made most flattering promises about assisting us at any future period in money matters. We implicitly believed his professions, and left the castle much delighted at possessing such a friend in one, who, had he

been ill-disposed, had so much power to injure us.

“ At our return home, on examining our stock of eatables, we found that we had been robbed of a large sack of rice, another of flour, and a great quantity of cusscussou. From our hardware we missed one pistol, both locks of a double-barrelled gun, and several bags of shot. We made instant complaint to Mukni, who promised that every inquiry should be made for the stolen articles, and that they should, if found, be faithfully returned to us. We laid in a stock of dates for our horses, and commenced keeping house on our own account.

“ Our habitation was a very good one, and as all the large houses are built on nearly the same plan, I may, by describing this, give an idea of all the rest. A large door, sufficiently high to admit a camel, opened into a broad passage, or Skeefa, on one side of which was a tolerable stable for five horses; and close to it a small room for the slaves, whose duty it might be to attend the house. A door opposite to that of the stable opened into the Kowdi, or large square room, the roof of which, at the height of eighteen feet, was supported by four palm-trees as pillars. In the centre of the roofing was a large open space, about twelve feet by nine; from this the house and rooms receive light (not to mention dust, and excessive heat in the afternoon). At the end of the room, facing the door, a large seat of mud was raised, about eighteen inches high, and twelve feet in length. Heaps of this description, though higher, are found at the doors of

most houses, and are covered with loungers in the cool of the morning and evening. Our large room was fifty feet by thirty-nine. From the sides. doors opened into smaller ones, which might be used as sleeping or store-rooms, but were generally preferred for their coolness. Their only light was received from the door. Ascending a few steps, there was a kind of gallery over the side rooms, and in it were two small apartments, but so very hot as to be almost useless. From the large room was a passage leading to a yard, having also small houses attached to it in the same manner, and a well of comparatively good water. The floors were of sand, and the walls of mud roughly plastered, and showing every where the marks of the only trowel used in the country—the fingers of the right hand. There are no windows to any of the houses; but some rooms have a small hole in the ceiling, or high up in the wall.”

“ May 15th.—I was attacked with severe dysentery, which confined me to my bed during twenty-two days, and reduced me to the last extremity. Our little party was at this time miserably poor, for we had only money sufficient for the purchase of corn to keep us alive, and never tasted meat, unless fortunate enough to kill a pigeon in the gardens. My illness was the first break up in our little community, and from that time it rarely happened that one or two of us were not confined to our beds. The extreme saltiness of the water, the poor quality of our food, together with the excessive heat and dryness of the climate,

long retarded my recovery ; and when it did take place, it was looked on as a miracle by those who had seen me in my worst state, and who thought it impossible for me to survive. I was no sooner convalescent, than Mr. Ritchie fell ill, and was confined to his bed with an attack of bilious fever, accompanied with delirium, and great pain in his back and kidneys, for which he required repeated cupping. When a little recovered, he got up for two days, but his disorder soon returned with redoubled and alarming violence. He rejected every thing but water ; and, excepting about three hours in the afternoon, remained either constantly asleep, or in a delirious state. Even had he been capable of taking food, we had not the power of purchasing any which could nourish or refresh him. Our money was now all expended, and the sultan's treacherous plans to distress us, which daily became too apparent, were so well arranged, that we could not find any one to buy our goods. For six entire weeks we were without animal food, subsisting on a very scanty portion of corn and dates. Our horses were mere skeletons, added to which, Belford became totally deaf, and so emaciated as to be unable to walk.

“ My situation was now such as to create the most gloomy apprehensions ; for I reflected that, if my two companions were to die, which there was every reason to apprehend, I had no money with which to bury them, or to support myself ; and must in that case have actually perished from want, in a land of comparative plenty. My naturally sanguine

mind, however, and above all, my firm reliance on that Power which had so mercifully protected me on so many trying occasions, prevented my giving way to despondency ; and, Belford beginning soon to rally a little, we united, and took turns in nursing and attending on our poor companion. At this time having no servant, we performed for Mr. Ritchie and for ourselves the most menial offices, Mr. Ritchie being wholly unable to assist himself.

“ Two young men, brothers, whom we had treated with great kindness, and whom we had engaged to attend on us, so far from commiserating our forlorn situation, forsook us in our distress, and even carried off our little store of rice and cusscussou, laughing at our complaints, and well knowing that our poverty prevented the redress which we should otherwise have sought and obtained.

“ The excessive heat which raged at this period was the occasion of many very serious illnesses amongst our friends and neighbours. Mr. Ritchie being very unwell and in bed, was, in a manner, privileged to take food or drink ; but as Belford and myself were now much recovered, we were obliged to be very cautious, only eating by stealth, and when no one was likely to interrupt us. We had at this time a servant, who was a very inquisitive fellow ; and our artifices to get him out of the way on these occasions would, by any but a block-head like himself, have been soon discovered : however, we not only got safely through, but were fortunate enough to obtain credit

for keeping the fast with great strictness, and without exciting the slightest suspicions of our stolen meals.

“Hadjé Mahmoud, a most religious old man, became very troublesome to me, and was continually begging that I would call in some Marabout, to pray over, and write prayers on Mr. Ritchie's head and hands: his delirium he attributed to the devil, and foretold that it would not cease until we had put a sword, or some implement of iron, under his head, Iblis being much alarmed at that metal. All these plans I resisted as well as I could; but found much difficulty in overcoming a strong desire he had to bring a plate with the names of God written on it, which were to be washed off, and the inky water given to the invalid to drink. Our poor patient, meanwhile, regardless of what was passing, longed and asked only for a little milk, which unhappily we were not able to procure; the Sultan, although he had fifty goats, made so many excuses and difficulties about affording us any, that we were obliged to give up all hopes of gratifying him.

“A report had been circulated that Mr. Ritchie was married to the king of England's daughter, and that I recently had married his majesty's niece. As Mohammed affected to be acquainted with all our affairs, we always denied our high connexions in such a manner as to confirm, rather than to contradict, the reports. Our wealth, he imagined to be very considerable, until he found we ceased to eat meat, and then his suspicions of our real situation were awakened. As he became excessively importunate

in his questions, I at last undertook to frighten him, and after one or two preparatory conversations, got him out on the sand one night when there was no moon. I began talking of king Solomon and his seal, and related to him as many horrible stories of ghosts as I could conjure up. I told him that Mr. Ritchie and myself were Freemasons, and that we understood the writing which was on our lord Solomon's seal. On this subject I also invented tales, to convince him that Freemasons were acquainted with everything. I took him home with me, and (Mr. Ritchie being on that evening pretty well) desired him to mention some words to me, which I would, with his hand over my mouth, convey across the room. I accordingly spelt the words with my fingers, and Mr. Ritchie, to Mohammed's great astonishment, repeated them aloud. A few repetitions of this plan made a sensible alteration in our inquisitive friend, who, from that time, gradually ceased to intrude on us. Mohammed was particularly proud of his high blood (being a Mamluke), boasting that his father (though an unbeliever) was a very great man, and much in the confidence of the king of Naples, whose revenues he collected, and had a large army under his orders. He also recollected his having fine laced clothes, and riding a horse. We were often much puzzled to guess who this great personage could be, when one evening, by way of surprising and delighting us, he, with great gravity, informed us that his father was a caporale, or, in plain English, a corporal!

“By the 20th August, Mr.

Ritchie had tolerably recovered. Mukni had several times, during his illness, talked publicly of his great friendship for us, declaring that if we were in want even of a thousand dollars, he would immediately lend them: but his conduct was in direct contradiction to his professions; for although he visited Mr. Ritchie during his illness, he never offered him the least assistance, or even bestowed such trifling articles of nourishment as I requested. Once, and once only, when rice was not to be bought, he, with great parade, sent a quart, on which the poor invalid dined for eight days.

“It became indeed but too apparent that he expected and wished us all to die, in which case he would have seized on, and appropriated all our effects and merchandise to his own use: of the latter we had a great quantity, which Mr. Ritchie would not allow me to dispose of, lest it should lower us in the eyes of the natives; but I thought it could be of little consequence when compared with our lives, which were so perpetually endangered by want and privation. We had in vain tried to dispose of our horses; they were so lean (and we had no money with which to buy any provision to fatten them) that no one would even look at them.

“I had managed to keep my own in rather better case than the others, by giving him our travelling baskets, and occasionally stealing a little food for him, but still he was not sale-worthy. In this situation were our affairs, when in one of our visits to the Sultan, Mr. Ritchie ventured to ask from him the loan

of some money: his answer, though a negative was couched in very plausible and friendly terms; and he assured us, by the name of God, that we were welcome to all he had in the world, but that the Bashaw had lately exacted so much from him, that he had not a single dollar remaining. It happened, however, that on the preceding day, he had, to our certain knowledge, received 4,000, which were deposited in the very chest against which he leant, whilst he uttered these falsehoods. Finding that nothing was to be gained at this visit, we retired in utter disappointment, not knowing where else to apply.

“Belford, at this time, was attacked with giddiness and deafness, and fell into a very weak state. Our situation was daily becoming more deplorable in all respects; our rate of living was reduced to one saa, or quart of corn per diem, with occasionally a few dates among four of us. Mukni's spy, about this time, came and made some very mean offers (but which Mr. Ritchie thought proper to reject) about purchasing our cloth and gunpowder, and we plainly perceived he was negotiating for the Sultan. We had endeavoured, indeed, to sell some of our merchandize, by offering it somewhat cheaper than the people of the country; but no one would actually buy, or even propose for it, and we then became convinced that Mukni was the cause of all our distresses; he, however, still continued to call on us, proffering kindness which he never intended to fulfil.

“Being now reduced to the last extremity, and Mr. Ritchie not

thinking it right to draw for money on the Treasury, I drew a bill on my own private account, for 20*l*. with which we proceeded immediately to the Sultan, hoping it would have the desired effect: Mr. Ritchie having at the former interview explained to them, that if he accommodated us with 80 dollars, and sent the draft to his (the Sultan's) wife, who was then resident in Tripoli, she would instantly receive the amount from the British consul. He still, however, refused to assist us; when on a sudden, artfully pretending to mistake 8 for 80, he exclaimed! 'Well! I did not think it necessary to draw a written agreement for so small a sum; I will, however, advance you the eight dollars you require, and you may return them when convenient.' Further explanation to a man determined not to understand was wholly useless, and our poverty not allowing us to refuse the sum, however small, we accepted it; and immediately employed part of our newly acquired riches in treating ourselves with a little meat.

"Though we knew not where to procure farther pecuniary aid, we were, for a moment happy, and soon after had reason to be more so. We had on coming to Morzouk, lent to our neighbour, Hadje Mahmoud, 20 dollars, of which he had paid us 10; and now, in the moment of need, brought us the remainder. At this critical period, it acquired tenfold value, and was of course received with thankfulness and delight.

"On the 8th of November, 1819, Mr. Ritchie being again attacked by illness, I much wished him to allow of my selling some of our

powder to procure him a few comforts; but to this he would not consent. On the 9th I also fell ill, and was confined to my bed; and Belford, though himself an invalid, attended on us both. Our man-servant was of no use to us whatever; but, on the contrary, presuming on our poverty, did exactly as he pleased. Our little girl, however, assisted in nursing us. After lying in a torpid state for three or four days, without taking any nourishment or even speaking to us, Mr. Ritchie became worse, and at last delirious, as in his former illnesses. In the interval, my disorder having abated, I was enabled to rally a little, and to attend my poor suffering companion.

"After he had somewhat recovered his intellect, he appeared very anxious to know whether any letters had arrived, announcing to us a further allowance of money from government; but when I, unfortunately, was obliged to reply in the negative, he avoided all comment on the subject. He would not drink any tea, of which we still had some remaining; but preferred vinegar and water, our only acid, which he drank in great quantities. Being entirely free from pain, he flattered himself that he should, in a day or two, recover, particularly as he was not at all emaciated, but rather stouter than he had been for some months previous to his illness. One day (the 17th) he appeared so far recovered as to be able to get up and be dressed. We placed him on the mat in the centre of the room, when he seemed much refreshed, and thanked us for the trouble we had taken; he then expressed a wish to have a little

coffee, which, for a time, I was unwilling to give him, fearing it might injure him: he was, however, so earnest in his request, that I was obliged at last to comply with it. As he complained of the closeness of his room, and appeared determined on lying that night on the mat, we made his bed on it; and I laid myself down by him. In the afternoon he examined his tongue in the glass, and appeared a good deal alarmed at its colour; but presently said, ‘I was frightened at the blackness of my tongue, but now recollect I have been drinking coffee; had I observed that appearance without knowing the cause, I should have said I had a bilious fever, and should bid you good bye.’ In the evening one or two of the Mamlukes came in; he spoke to them for a little while, and soon after fell asleep. I remained awake the greater part of the night, during which he slept soundly; but in the morning I found he had crept from his bed, and was lying uncovered, and in a state of delirium, on the cold sand. We immediately put him to bed in his own room, and he appeared to rally again.

“On the 20th we got a fowl, of which we made a little soup for him; and while he was taking it, a man came in, and told me a courier had arrived from Tripoli with letters. I went out, but returned, to my sad disappointment, empty handed, the man having no dispatches for us. The broth which Mr. Ritchie drank was the first nourishment he had taken for ten days, though we had used all our endeavours to prevail on him to eat. He said he felt much revived by it, and

turned round to go to sleep. I placed my bed at the entrance of his room, and remained watching him. He seemed to breathe with difficulty; but as I had often observed this during his former maladies, I was not so much alarmed as I should otherwise have been. About nine o’clock, Belford, on looking at him, exclaimed in a loud voice, ‘He is dying!’ I begged him to be more cautious, lest he should be overheard and immediately examined Mr. Ritchie, who appeared to me to be still in a sound sleep; I therefore lay down on my bed, and continued listening. At ten I rose again, and found him lying in an easy posture, and breathing more freely: five minutes, however, had scarcely elapsed before his respiration appeared entirely to cease; and on examination I found that he had actually expired, without a pang or groan, in the same position in which he had fallen asleep.

“Belford and myself, in our weak state, looked at each other, expecting that in a few days it might probably be our lot to follow our lamented companion, whose sad remains we watched during the remainder of the night. And now, for the first time in all our distresses, my hopes did indeed fail me. At daylight I went out and informed our kind friends, Yussuf and Hadje Mahmoud, of our misfortunes; at which they were much affected, and offered us all the assistance in their power. Belford, as well as he was able, hastened to form a rough coffin out of our chests; and a sad and painful task it was. The washers of the dead came to us to perform their melancholy office, and Mr. Ritchie’s body

was washed, perfumed, and rubbed with camphor; and I procured some white linen, with which the grave-clothes were made. During our preparations for the burial, the women, who are always hired to cry at the death of persons whose friends are able to pay them, proposed to perform that disgusting office in our house; but I would not allow it, and very unceremoniously shut the door against them. While I was out of sight, either our servant or some of our officious visitors stole several of our effects, and I clearly saw that we were now considered as lawful plunder. The coffin being completed, I hired men to carry it with ropes, but one of them having suddenly gone away, poor Belford was obliged to take his place; when, attended by our small party of Mamlukes, we proceeded at a quick pace to the grave, at about ten o'clock. The clay below the sand was white, which was considered as a good omen; and Belford and myself threw the first earth into the grave. During the night we had, unknown to the people, read our protestant burial service over the body; and now publicly recited the first chapter of the Koran, which the most serious Christian would consider as a beautiful and applicable prayer on such an occasion.

“ Having thus performed the last sad duties to our unfortunate friend, we returned home to pass a day of misery. It was necessary to distribute food to the poor who surrounded our door in great numbers, and we had no money even to purchase a morsel for ourselves; Yussuf's kindness again having supplied our wants,

I succeeded in getting the house a little more quiet. Within an hour after the funeral had taken place, a courier arrived from Tripoli bringing a truly welcome letter, announcing that a further allowance of 1,000*l.* had been made by our government towards the expense of the mission. Had this letter reached us a little sooner, many of our troubles and distresses would have been prevented.

“ I waited on the sultan to announce to him Mr. Ritchie's death, at which the hypocrite affected to be much grieved, though he must have been well aware that had his inclination equalled his power to serve us, he might have enabled us to procure the necessaries of life, and thus, perhaps, have averted, or at least tranquillized the last moments of Mr. Ritchie. I informed him of the additional allowance which I expected, begging him to lend me some money. He talked much of his regard for me, but dwelt a great deal on his poverty; and ended by saying, he might perhaps be able to furnish me with a little, which he expressed with particular emphasis, reminding me that I already owed him eight dollars. I was not then, I own, in the humour to remonstrate with such a wretch, and plainly told him I would never more ask for his assistance or friendship; and that according to his law, ingratitude, such as he had so cruelly shown to Mr. Ritchie and myself, was the highest and blackest crime a man could be guilty of, and would one day be visited on him.

“ On my return home, I found poor Belford greatly overcome

by the efforts he had made, whilst I was equally so from the exertions of mind I had undergone. The consequence was, that a strong fever confined us both to our beds, at the mercy of any one who chose to pillage us. Before I took to mine, however, I contrived to write despatches to England, which I sent off by a courier.

“ During the whole day a constant succession of visitors came to pay their compliments of condolence, and I seriously thought that, with such an accession of evils, we should in a few days more be hurried to our graves. Yussuf and Hadje Mahmoud attended on us, as did our little girl, who was our principal nurse, and was very humane and careful. We lay ten days in this state, and during that time Yussuf, by my desire, sold about 100lbs. of our powder, so that we now again obtained a little money; but we were too ill to enjoy any benefit which our riches might procure us. Mr. Ritchie’s horse, which had never recovered its flesh since coming from Tripoli, and which was very old, I sold, through the medium of Yussuf, for seventy dollars, to the sultan. By the sale of many trifles, which the sultan no longer made an objection to our disposing of, I cleared, after paying my debts, about 150 dollars, including the money for the horse and powder, and now determined, should I recover, on penetrating still farther to the southward of Morzouk, though incapable of making such progress as I wished, from not possessing sufficient funds for the purpose.

“ I found myself under the absolute necessity of soon returning

to England to receive instructions for my further proceedings (supposing me still to be employed on the mission), for although money for the additional grant of 1,000*l.* could have been procured from Tripoli, much time must have elapsed before I could have obtained it; and even then, I must have gone in person for it. I had no one whom in my absence I could have left in charge of my goods at Morzouk, Belford being too sick and helpless either to keep guard over them, or to remain alone in that place. Added to this, 1,000*l.* was a sum by no means adequate to carry me through Africa; as it would be requisite to purchase merchandise totally different from that which had already been provided, and without which I could not have made my way. Belford, from his weak state, could not accompany me far, and to proceed alone would have been actual madness, until the necessary arrangements for my future operations, and regulations as to pecuniary matters had been fully understood and arranged. Under all these circumstances, therefore, and to my great regret, I could only resolve on a short progress into the interior.

“ As soon as we recovered sufficient strength to get up stairs, I opened Mr. Ritchie’s sitting-room, where we found only a few scattered papers, an unfinished journal, and some letters. These I collected, and in Belford’s presence burnt all which were private; but every other document bearing Mr. Ritchie’s handwriting I carefully preserved. We were both much astonished at his having left so few memoranda, as we felt confident, that

though for many months he had, from repeated illness, been unable to write, that at least, prior to his arrival in Morzouk, he must have made many notes, as well as composed a regular journal.

“ I knew that he had always trusted much to his singularly retentive memory, and was also aware that he expressed great impatience for the arrival of more cool weather, when he might, with less inconvenience, commit his ideas to paper; and these reasons might probably account for his having left so few mementos of the scientific mind with which he certainly was gifted. It is also to be regretted that Mr. Ritchie, during his illnesses, would never avail himself of my repeated offers to take down in writing any observations which he might have considered worthy of note; and from this unfortunate circumstance much, very much valuable information has been lost.”

MEMOIR OF SIR HOME RIGGS
POPHAM, K. C. B.

This gallant naval commander is generally stated to have been a native of Ireland; this however is incorrect, as he was born, about 1762, at Gibraltar, his father being then consul general at Tetuan, the residence of the British consulate. His early prospects were not very flattering, since his father, notwithstanding the post which he held, had but slender means of providing for a numerous family; and Home was, besides, a younger son. When arrived at an age that rendered it necessary to select some means of providing for himself, he for-

tunately made choice of the naval profession, and entered the service as a midshipman. In the American war he attained the rank of lieutenant; and embarked in the *Grampus*, commodore Thompson, employed to survey the African coast, during which expedition his commander unfortunately died. About this period, lord Howe, first lord of the Admiralty, encouraged the junior officers in the navy to engage in maritime expeditions, for the purpose of acquiring professional experience. At the suggestions of his friends, lieutenant Popham sailed with some naval contemporaries for India, having previously obtained permission from the lords of the Admiralty, by which his rank was continued, although his half-pay ceased. He embarked accordingly in 1787, in a ship named the *Stad Van Veenen*; and upon his arrival at Bengal, was appointed by lord Cornwallis, one of the committee sent in 1788 to survey New Harbour, in the river Hoogly, a branch of the Ganges, which service he executed to the satisfaction of the government. In the same year, lieut. Popham returned to Europe, where being unable to obtain employment in the navy, he was induced to visit India a second time, to which country he proceeded in the *Etrusco*. He now made an important survey of a southern passage or outlet from Prince of Wales' island, of which he caused a chart to be engraved and published. In consequence of this service, so considerable to our intercourse with China, he was presented by the government with a letter of thanks, and a piece of plate: besides this acknow-

ledgment of the benefit he had conferred upon the state, representations were officially made in his favour to the East India directors. By these he was again warmly recommended to the lords commissioners of the Admiralty. On this occasion, likewise, several masters of ships signified their desire to present him with a piece of plate, in the names of themselves and others sailing from Bombay; being highly sensible, as they expressed it, of the advantage to be expected from the southern channel, leading from Prince of Wales' island.

Returning from India, the *Etrusco* was captured on its way from Bengal to Ostend, under the pretext that the principal part of the cargo on board was the property of English subjects.

War breaking out between this country and France at the commencement of the Revolution, lieutenant Popham was not only restored to his profession, but soon beheld opened to him a path conducting to that eminence which he afterwards attained. The earliest service he performed, was the assistance he afforded to Nimeguen, when that place was besieged by Pichegru, in 1794, and cut off from its communication with the duke of York. For this he was rewarded; first with the rank of master and commander in the service, and then with that of a post-captain.

In 1795, he acted on the continent as naval agent for the British transports; and it was under his inspection that our troops were embarked on their return from Holland, and escorted to this country by the *Dædalus* and *Amphion* frigates. An armament sailed under his command on the 14th of May, 1798, against Ostend, off which place it appeared on the 19th. The troops commanded by major-general Coote effected a descent, and blew up the sluice-gates; but being prevented by the roughness of the sea from re-embarking, they were obliged to capitulate. The next service on which he was employed was, a mission in the *Nile* frigate to the emperor Paul, who had evinced a disposition to concur with England in an attempt to expel the French from the Dutch provinces. In 1800, he sailed for the East Indies with a small squadron, including the *Romney* 56 guns, and three other frigates, where he continued till 1803, during which period he performed many signal and valuable services. From this time his public employments were on a more extensive scale. Shortly before his death he had returned from his command on the Jamaica station, in a declining state of health, and afflicted by the recent loss of his daughter. He expired at Cheltenham, in the 60th year of his age, September 11th, 1820.

CHARACTERS.

Sir FRANCIS BLAKE DELAVAL.
(*From Memoirs of R. L. Edgeworth, esq.*)

AT this time, the celebrated Comus exhibited a variety of scientific deceptions in London. I soon discovered many of his secrets. As it was the fashion to go to see him, his tricks became the general subject of conversation, and I was able to entertain a number of Mrs. Blake's friends, who were too old or too indolent to go to his exhibition. Among the ladies who visited the Mrs. Blakes was a Miss Dalston, the famous "Fanny, blooming fair," whom lord Chesterfield has celebrated. She was related both to my wife and to sir Francis Delaval by the Blakes. One evening, when she was of the company assembled at Mrs. Blakes', after I had been amusing them with some of Comus's feats, she told us, that her relation, sir Francis Delaval, had also discovered these secrets, and that he believed himself to be the only man in England who possessed them. "I shall, however," said she, "inform him, that I have another cousin as wise as he is."

This slight circumstance first introduced me to the acquaintance of sir Francis Delaval. I beg the reader distinctly to understand, that my acquaintance with sir Francis commenced but two or three years before his death. He invited me to his house, where, in six weeks, I saw more of what is called *the world*,

than I should probably have seen elsewhere in as many years. I was about two and twenty. Much of what passed before my eyes was not at first perfectly distinct; but I observed; and by degrees, various circumstances that seemed to me extraordinary, and sometimes unaccountable, arranged themselves so as to become scenes as it were of a real comedy—Comedy, I may say, as to the representation before my eyes, but such as had frequently tragic consequences.

At first our joint exhibition of wonders occupied my attention. After arranging our contrivances in the house in Downing-street, where sir Francis lived, by preconcerted confederacy, we had it in our power to execute surprising feats. Company of all sorts crowded our exhibitions. Sir Francis was known to every body; but I, as a stranger, was not suspected of being combined with the arch-fiend in deceiving the spectators. Feats, physically impossible without such assistance, were performed by seeming magic, and many were seriously alarmed by the prodigies which they witnessed. The ingenuity of some of the contrivances that were employed in our deceptions, attracted the notice not only of those who sought mere amusement, but of men of letters and science, who came to our exhibitions. This circumstance was highly grateful to sir Francis, and advantageous to me. I, by these means, became acquainted with

many men of eminence, to whom I could not at that period of my life have otherwise obtained familiar access. Among the number were Dr. Knight, of the British Museum; Dr. Watson; Mr. Wilson; Mr. Espinasse, the electrician; Foote, the author and actor, a man, who, beside his well known humour, possessed a considerable fund of real feeling; Macklin; and all the famous actors of the day. They resorted to a constant table, which was open to men of genius and merit in every department of literature and science. I cannot say, that his guests were always "unelbowed by a player;" but I can truly assert, that none but those who were an honour to the stage, and who were admitted into the best company at other houses, were received at sir Francis Delaval's. Macklin was our frequent visitor, as he was consulted as to every thing that was necessary for the getting up of a play, in which the late duke of York was to be the principal actor. On this occasion I was requested by sir Francis, to fit up a theatre in Petty France, near the gate of the park, and no trouble and expense were spared, to render it suitable to the reception of a royal performer. "The Fair Penitent" was the chosen piece, and the parts were cast in the following manner:

Sciolto..... Mr. J. Delaval.
Horatio Sir F. Delaval.
Altamont..... Sir J. Wrottesly.
Lothario..... The Duke of York.
Calista..... Lady Stanhope.
Lavinia..... Lady Mexborough.

The play was, as to some parts, extremely well performed. Calista was admirably acted by lady

Stanhope, and Horatio by sir Francis. Sciolto was very well, and Lothario was as warm, as hasty, and as much in love, as the fair Calista could possibly wish. After the piece, sir Francis, and his friends from the real theatres, retired to sup, and to criticise, at the King's Arms, Covent Garden. It was singular that sir Francis, who was the projector of the scheme, preferred supping with his critical friends to partaking of an entertainment with the duke of York, and a splendid company. I accompanied sir Francis Delaval, and we passed a most agreeable evening. The company were in fact, all performing amusing parts, though they were off the stage. After we had supped, Macklin called for a night-cap, and threw off his wig. This, it was whispered to me, was a signal of his intention to be entertaining. Plays, playwrights, enunciation, action, every thing belonging to eloquence of every species, was discussed. Angelo, the graceful fencing master, and Bensley, the actor, were of the party; Angelo was consulted by Bensley, on what he ought to do with his hands while he was speaking. Angelo told him, that it was impossible to prescribe what he should always do with them; but that it was easy to tell him what should not be done—"he should not put them into his breeches' pockets"—a custom to which poor Bensley was much addicted.

Pronunciation was discussed; the faults in our language in this particular were copiously enumerated. "For instance," said Macklin, "*Pare* me a *pair* of *pears*." You may take three

words out of this sentence of the same sound, but of different meaning, and I defy any man to pronounce them in such a manner as to discriminate the sounds, or to mark to any ear by his pronunciation, the difference between the verb, *to pare*, the noun of number, *a pair*, and the fruit, *pear*. The pompous Bensley undertook that Powel, who was remarkable for a good ear, should do this. Bensley, who mouthed prodigiously whilst he spoke, was put behind a curtain, that the motion of his lips might not assist Powel in judging what meaning he intended to express by each of the words as he pronounced them. One of the company was placed behind the curtain, and to him Bensley was previously to communicate, whether he proposed to pronounce the word denoting the action, the noun of number, or the fruit. Bensley failed so often, and so ridiculously, that he became quite angry, and charged Powel with wilful misapprehension. To defend himself, Powel proposed that Holland should try his skill; but Holland had no better success. During these trials, I concerted by signs with sir Francis a method of pointing out my meaning, and I offered to try my skill. The audience with difficulty restrained their contempt; but I took my place behind the curtain, and they were soon compelled to acknowledge, that I had a more distinct pronunciation, or that sir Francis had more accurate hearing, than the rest of the company. Out of twenty experiments, I never failed more than two or three times, and in these I failed on purpose to prevent suspicion. I had made my con-

federate understand, that when I turned my right foot outward, as it appeared from beneath the curtain, I meant to say *pare*, to cut; when I turned it inward, *pair*, a couple; and when it was straight forward, *pear*, the fruit. We kept our own counsel, and won unmerited applause. Amidst such trifling as this much sound criticism was mixed, which improved my literary taste, and a number of entertaining anecdotes were related, which informed my inexperienced mind with knowledge of the world.

In his youth, sir Francis Delaval had a great love of frolic, and now, when he became intimate with me, he related to me some of the adventures of his early life, a few of which I may here mention.

Once, when he stood for the borough of Andover, an opposition took place, and the corporation was so closely divided, that it was nearly a drawn battle between him and his competitor. One sturdy fellow among the voters held out against all applications: he declared, that he would vote for neither of the contending candidates. Sir Francis paid him a visit, and with much address endeavoured to discover some means of softening him. Sir Francis knew that the man was unassailable by plain bribery; he therefore tried to tempt his ambition, his love of pleasure, his curiosity, in short, every passion that he thought could actuate this obstinate voter. Sir Francis found, that all the public spectacles of London were familiar to this man, who had often gone to town, on purpose to see various exhibitions. This seemed to have been his favourite

relaxation. After many attempts, sir Francis at last discovered, that this odd mortal had never seen a fire-eater, and that he did not believe the wonderful stories he had heard of fire-eaters; nor could it, he said, be imagined, that any man could vomit smoke, and flame, and fire from his mouth like a volcano. Sir Francis proposed to carry him immediately to town, and to show him the most accomplished eater of fire that had ever appeared. The wary citizen of Andover suspected some trick, and could by no means be prevailed upon to go up to town. Our staunch candidate, never at a loss for resource, despatched instantly a trusty servant to London, requesting Angelo to come to his assistance. Among his various accomplishments, Angelo possessed the art of fire-eating in the utmost perfection; and though no pecuniary consideration could have induced him to make a display of his talents, in such an art, yet to oblige sir Francis, to whom all his friends were enthusiastically devoted, Angelo complied. A few hours after he received the request, he thundered into Andover in a chaise and four, express, to eat fire for sir Francis Delaval's friend! When the obdurate voter saw this gentleman come down, and with such expedition, on purpose to entertain him, he began to yield. But when Angelo filled his mouth with torrents of flame, that burst from his lips and nostrils, and seemed to issue even from his eyes; when these flames changed to various colours, and seemed continually to increase in volume and intensity; our voter was quite melted: he implored

Angelo to run no farther hazard; he confessed, "that he did not think the devil himself could cast out such torrents of fire and flame, and that he believed sir Francis had his satanic majesty for his friend, otherwise sir Francis never could have prevailed upon him to break the vow which he had made not to vote for him.

For this time sir Francis succeeded in his election; but on the next occasion he found his interest still lower than before in Andover. When he commenced his canvas, he went to the house of the mayor of Andover, who had hitherto been his friend, and with whom he usually lodged. The mayor's lady had also been on his side formerly, but sir Francis now perceived by her averted glances, that he had lost her favour. As he paid her some compliments while she made tea, the lady scornfully replied, that "his compliments to her tea were no more genuine than his tea-canisters." Now it seems that on the former occasion a promise had been made to her of a handsome tea-chest with silver canisters, in place of which she had received only plated canisters. Sir Francis was struck dumb by this discovery. When he recovered himself, he protested in the most energetic manner, that this trick had been put upon him, as well as upon her, by the person whom he had employed to purchase the tea-chest. He offered to produce his order to his agent, he pleaded his own character as a gentleman, and his known habits, not only of generosity, but of profusion. All would not do, the enraged mayoress treated his apologies with disdain, and his professions as counterfeit coin.

What was to be done? With the mayor's vote he lost other voices. The corporation openly declared, that unless some person of wealth, and consequence, and honour, appeared from London, and proposed himself candidate, they would elect a gentleman in the neighbourhood, who had never canvassed the borough, rather than let sir Francis come in. Next morning an express arrived early in Andover, with an eloquent and truly polite letter from sir Robert Ladbroke, who was then father of the city, declaring his intention to stand candidate for the free and independent borough of Andover, intimating that his gouty state of health required care, and begging the mayor, with whom he had some acquaintance, to secure for him a well-aired lodging. Mrs. Mayoress, in high exultation, had a bed prepared for the infirm sir Robert in her best bed-chamber; supper was ready at an early hour, but no sir Robert appeared. At length a courier arrived with a letter, excusing his presence that night, but promising that sir Robert would breakfast next morning with the mayor. In the mean time the neighbouring gentleman, who had been thought of as rival candidate to sir Francis Delaval, not finding himself applied to, and seeing no likelihood of success, had prudently left home to avoid being laughed at. The morning came, the breakfast passed, and the hour of election approached. An express was sent to hurry sir Robert. The express was detained on the road, and when the writ was to be read, and the books opened, the old member, sir Francis Delaval, appeared unopposed on the hustings;

his few friends gave their votes, and in default of the expected sir Robert, who was never forthcoming, sir Francis was duly elected.

Here ended sir Francis Delaval's electioneering successes at Andover. His attorney's bill was yet to be discharged. It had been running on for many years, and though large sums had been paid on account, a prodigious balance still remained to be adjusted. The affair came before the King's-bench. Among a variety of exorbitant and monstrous charges there appeared the following article.

“To being thrown out of the window at the George Inn, Andover—to my leg being thereby broken—to surgeon's bill, and loss of time and business—all in the service of sir F. B. Delaval.—£.500 ,, 0 ,, 0”

When this curious *item* came to be explained, it appeared, that the attorney had, by way of promoting sir Francis's interest in the borough, sent cards of invitation to the officers of a regiment in the town, in the name of the mayor and corporation, inviting them to dine and drink his majesty's health on his birth-day. He, at the same time, wrote a similar invitation to the mayor and corporation, in the name of the officers of the regiment. The two companies met, complimented each other, eat a good dinner, drank a hearty bottle of wine to his majesty's health, and prepared to break up. The commanding officer of the regiment, being the politest man in company, made a handsome speech to Mr. Mayor, thanking him for his hospitable invitation and entertainment. “No, colonel,” replied the

mayor, "it is to you that thanks are due by me and by my brother aldermen for your generous treat to us." The colonel replied with as much warmth as good breeding would allow: the mayor retorted with downright anger, swearing that he would not be choused by the bravest colonel in his majesty's service.—"Mr. Mayor," said the colonel, "there is no necessity for displaying any vulgar passion on this occasion. Permit me to show you, that I have here your obliging card of invitation."—"Nay, Mr. Colonel, here is no opportunity for bantering, there is your card."

Upon examining the cards, it was observed, that, notwithstanding an attempt to disguise it, both cards were written in the same hand by some person who had designed to make fools of them all. Every eye of the corporation turned spontaneously upon the attorney, who, of course, attended all public meetings. His impudence suddenly gave way, he faltered, and betrayed himself so fully by his confusion, that the colonel, in a fit of summary justice, threw him out of the window. For this, sir Francis Delaval was charged five hundred pounds.—Whether he paid the money or not, I forget.

Some years before I was acquainted with him, sir Francis, with Foote for his coadjutor, had astonished the town as a conjuror, and had obtained from numbers vast belief in his necromantic powers. This confidence he gained, chiefly by relating to those who consulted him the past events of their lives; thence he easily persuaded them, that he could foretell what would happen to them in future; and this persua-

sion frequently led to the accomplishment of his prophecies. Foote chose for the scene of their necromancy a large and dark room in an obscure court, I believe in Leicester-fields. The entrance to this room was through a very long, narrow, winding passage, lighted up by a few dim lamps. The conjuror was seated upon a kind of ottoman in the middle of the room, with a huge drum before him, which contained his familiar spirit. He was dressed in the eastern fashion, with an enormous turban, and a long white beard. His assistant held a white wand in his hand, and with a small stick struck the drum from time to time, from which there issued a deep and melancholy sound. His dragoon answered the questions that were asked of him by his visitants, while the conjuror preserved the most dignified silence, only making signs, which his interpreter translated into words. When a question was asked, the visitant was kept at a distance from the drum, from which the oracle seemed to proceed. The former habits, and extensive acquaintance of sir F. Delaval, and of his associates, who, in fact, were all the men of gallantry of his day, furnished him with innumerable anecdotes of secret intrigues, which were some of them known only to themselves and their paramours. Foote had acquired a considerable knowledge of the gallantries of the city; and the curiosity which had been awakened and gratified at the west end of the town by the disclosure of certain ridiculous adventures in the city, gave to the conjuror his first celebrity. It was said, that he had revealed secrets that had

been buried for years in obscurity. Ladies as well as gentlemen among the fools of quality were soon found, to imitate the dames of the city in idle and pernicious curiosity; and under the sanction of fashion, the delusion spread rapidly through all ranks. Various attempts were made to deceive the conjuror under false names, and by a substitution of persons; but he in general succeeded in detecting these, and his fame stood at one time so high, as to induce persons of *the first consideration* to consult him secretly. His method of obtaining sudden influence over the incredulous was by telling them some small detached circumstances, which had happened to them a short time before, and which they thought could scarcely be known to any body but themselves. This he effected by means of an agent, whom he employed at the door as a porter. This man was acquainted with all the intriguing footmen in London, and whilst he detained the servants of his master's visitants as they entered, he obtained from them various information, which was communicated by his fellow servants through a pipe to the drum of the conjuror. It was said, that in the course of a few weeks, while this delusion lasted, more matches were made, and more intrigues were brought to a conclusion, by sir Francis Delaval and his associates, than all the meddling old ladies in London could have effected or even suspected in as many months. Among the marriages was that of lady Nassau Paulet with sir Francis himself. This was the great object of the whole contrivance. As soon as it was ac-

complished, the conjuror prudently decamped, before an inquiry too minute could be made into his supernatural powers. Lady Nassau Paulet had a very large fortune, I believe eighty thousand pounds, of all which sir Francis Delaval became possessed by this marriage. Her ladyship died soon afterwards, and her fortune did not long continue to console her husband for her loss. The whole of the eighty thousand pounds he contrived soon to dissipate.

Whatever knowledge of the world sir Francis Delaval and Foote had acquired, I collected at an easy rate from their conversation. The love of adventure was not quite extinguished in sir Francis, when I first knew him. It was some time after the death of lady Nassau Paulet, and sir Francis was looking out for another wife, and another fortune.

Lady Jacob, the widow of a sir something Jacob, was then an object of pursuit to the fortune-hunting men of fashion, and sir Francis was of the number. His rivals were mere empty coxcombs. During several tiresome evenings, that I walked the round of Ranelagh in their company, I never heard from them a single sentiment or expression worth repeating. Grimace, and a water-dog shake of the head, supplied the place of conversation. The widow had some cleverness, though it had not been much cultivated by education; and I plainly saw her disgust at the nonsense which she endured. I remember that one of her honourable lovers, after a composing prelude of fashionable fatuity, with a solemn air and complacent smile requested his mistress's

opinion upon the propriety of having the candles snuffed.

The lady saw sir Francis Delaval's superiority to his competitors in abilities and address, but his character for gallantry could not be unnoticed by the wary widow. She laughed at his rivals for attempting to vie with him, but at the same time she told him, that, though he was far superior to any of them in talents and accomplishments, yet she must be sure of his reformation, before she could venture to make him her master. That he must undergo a moral probation. This was a species of trial not much to the taste of sir Francis, he therefore abandoned the field to his insipid rivals.

The widow, after examining maturely the pretensions of these various suitors, wisely dismissed them all, and married a young Irish captain, whose claims to her favour fairly rested on his sword and his figure.

Sir Francis Delaval was soon afterwards engaged with other objects. He had a universal acquaintance with all the gay and all the gambling world. Lord March, afterwards duke of Queensberry, Jennison Shaftoe, lord Eglintoun, Mr. Thynne, lord Effingham, colonel Brereton, and numbers, whose names have long since been forgotten, consulted sir Francis in their schemes at Newmarket; his ingenuity and never-failing resources made his acquaintance highly valuable to such gentlemen of the turf club, as made bets out of the common line of gambling. A coachmaker's journeyman had been taken notice of by lord March, for his being able to run with a wheel upon the pavement with

uncommon speed, which his lordship had ascertained at leisure with his stop-watch. A waiter in Betty's fruit shop, in St. James's-street, was also famous for running. His speed lord March minuted, and upon some opportunity he spoke of the coachmaker's running, as if he believed that the wheel assisted instead of retarding his speed. This brought on discussion, and lord March offered to lay a large wager, that the coachmaker's journeyman should run with the wheel of his lordship's carriage, which was at the door, faster than the waiter who was in the room. The bet was taken up to a considerable amount, and the time and place determined. Lord March well knew, that large bets would depend on each side among the frequenters of the turf; and that each of the competitors would be engaged to try their speed, that those who backed them might know what they had to depend upon. He, therefore, had the waiter carefully watched, and had his speed ascertained; he also had experiments tried by the journeyman coachmaker. By these means he thought himself almost certain of success, and he and his friends took up as many bets as they could before the day appointed for the race. The gentlemen on the other side had not been inattentive; and having observed that the coachmaker always ran with one particular wheel, which was considerably higher than that with which lord March had betted he should run; and being well assured by coachmakers, whom they consulted, that a man could not roll a small wheel nearly so fast as a large one; they reckoned upon this

circumstance as decisive in their favour, because the hind wheel of lord March's carriage happened to be uncommonly small. By some means their hopes in this advantage was discovered, but not till the very day before the match was to be determined. Lord March immediately tried the rate of his racer, with the wheel with which he was actually to run, and found such an evident difference from that upon which he had depended, as to leave him very little chance of success. He mentioned his distress to sir Francis Delaval, who instantly suggested a remedy. He applied immediately to friends whom he had in the board of works, for a number of planks sufficient to cover a pathway on the course, where the men were to run. By the help of numbers, with the aid of moonlight, he laid these planks upon blocks, of a height sufficient to raise the nave of his low wheel to the height of that with which the coachmaker had been accustomed to run. The jockey club allowed the expedient, and lord March won his wager.

Bets of this sort were in fashion in those days, and one proposal of what was difficult and uncommon led to another. A famous match was at that time pending at Newmarket between two horses, that were in every respect as nearly equal as possible. Lord March, one evening at Ranelagh, expressed his regret to sir Francis Delaval, that he was not able to attend Newmarket at the next meeting. "I am obliged," said he, "to stay in London; I shall, however, be at the Turf Coffee-house; I shall station fleet horses on the road, to bring me the earliest intelli-

gence of the event of the race, and I shall manage my bets accordingly."

I asked at what time in the evening he expected to know who was winner.—He said about nine in the evening. I asserted, that I should be able to name the winning horse at four o'clock in the afternoon. Lord March heard my assertion with so much incredulity as to urge me to defend myself; and at length I offered to lay five hundred pounds, that I would in London name the winning horse at Newmarket, at five o'clock in the evening of the day when the great match in question was to be run. Sir Francis having looked at me for encouragement, offered to lay five hundred pounds on my side; lord Eglington did the same; Shaftoe and somebody else took up their bets; and the next day we were to meet at the Turf Coffee-house, to put our bets in writing. After we went home, I explained to sir Francis Delaval the means that I proposed to use. I had early been acquainted with Wilkins's "*Secret and Swift Messenger*:" I had also read in Hooke's Works of a scheme of this sort, and I had determined to employ a telegraph nearly resembling that which I have since published.* The machinery I knew could be prepared in a few days.

Sir Francis immediately perceived the feasibility of my scheme, and indeed its certainty of success. It was summer-time, and by employing a sufficient number of persons, we could place our machines so near as

* In the *Memoirs of the Royal Irish Academy*, and in *Nicholson's Journal* for October, 1798, quarto, vol. ii. p. 320.

to be almost out of the power of the weather. When we all met at the Turf Coffee-house, I offered to double my bet, so did sir Francis. The gentlemen on the opposite side were willing to accept my offer ; but before I would conclude my wager, I thought it fair to state to lord March, that I did not depend upon the fleetness or strength of horses to carry the desired intelligence, but upon other means, which I had, of being informed in London which horse had actually won at Newmarket, between the time when the race should be concluded and five o'clock in the evening. My opponents thanked me for my candor, reconsidered the matter, and declined the bet. My friends blamed me extremely for giving up such an advantageous speculation. None of them, except sir Francis, knew the means which I had intended to employ, and he kept them a profound secret, with a view to use them afterwards for his own purposes. With that energy which characterised every thing in which he engaged, he immediately erected, under my directions, an apparatus between his house and part of Piccadilly ; an apparatus which was never suspected to be telegraphic. I also set up a night telegraph between a house which sir F. Delaval occupied at Hampstead, and one to which I had access in Great Russel-street, Bloomsbury. This nocturnal telegraph answered well, but was too expensive for common use.

Upon my return home to Hare Hatch, I tried many experiments on different modes of telegraphic communication. My object was to combine secrecy with expedition. For this purpose I intended to employ windmills, which might

be erected for common economical uses, and which might at the same time afford easy means of communication from place to place upon extraordinary occasions. There is a windmill at Nettlebed, which can be distinctly seen with a good glass from Hassy Hill, between Maidenhead and Henley, the highest ground in England, south of the Trent. With the assistance of Mr. Perrot, of Hare Hatch, I ascertained the practicability of my scheme between these places, which are nearly sixteen miles asunder.

I have had occasion to show my claim to the revival of this invention in modern times, and in particular to prove, that I had practised telegraphic communication in the year 1767, long before it was ever attempted in France. To establish these truths, I obtained from Mr. Perrot, a Berkshire gentleman, who resided in the neighbourhood of Hare Hatch, and who was witness to my experiments, his testimony to the facts which I have just related. I have his letter, and, before its contents were published in the Memoirs of the Irish Academy for the year 1796, I shewed it to lord Charlemont, president of the Royal Irish Academy.

During my residence at Hare Hatch, another wager was proposed by me among our acquaintance, the purport of which was, that I undertook to find a man, who should, with the assistance of machinery, walk faster than any other person that could be produced. The machinery which I intended to employ was a huge hollow wheel, made very light, within side of which, in a barrel of six feet diameter, a man should walk, whilst he stepped thirty in-

ches, the circumference of the large wheel, or rather wheels, would revolve five feet on the ground; and as the machine was to roll on planks, and on a plane somewhat inclined, when once the *vis inertiae* of the machine should be overcome, it would carry on the man within it, as fast as he could possibly walk. I had provided means of regulating the motion, so that the wheel should not run away with its master. I had the wheel made, and when it was so nearly completed as to require but a few hours' work to finish it, I went to London for lord Effingham, to whom I had promised, that he should be present at the first experiment made with it. But the bulk and extraordinary appearance of my machine had attracted the notice of the country neighbourhood; and taking advantage of my absence, some idle curious persons went to the carpenter I employed, who lived on Hare Hatch common. From him they obtained the great wheel, which had been left by me in his care. It was not finished. I had not yet furnished it with the means of stopping or moderating its motion. A young lad got into it, his companions launched it on a path which led gently down hill towards a very steep chalk-pit. This pit was at such a distance, as to be out of their thoughts, when they set the wheel in motion. On it ran. The lad within-side plied his legs with all his might. The spectators, who at first stood still to behold the operation, were soon alarmed by the shouts of their companion, who perceived his danger. The vehicle became quite ungovernable, the velocity increased as it ran down

hill. Fortunately the boy contrived to jump from his rolling prison before it reached the chalk-pit; but the wheel went on with such velocity, as to outstrip its pursuers, and, rolling over the edge of the precipice, it was dashed to pieces.

The next day, when I came to look for my machine, intending to try it upon some planks, which had been laid for it, I found to my no small disappointment, that the object of all my labours and my hopes was lying at the bottom of a chalk-pit, broken into a thousand pieces. I could not at that time afford to construct another wheel of this sort, and I cannot therefore determine what might have been the success of my scheme.

As I am on the subject of carriages, I shall mention a sailing carriage, that I tried on this common. The carriage was light, steady, and ran with amazing velocity. One day, when I was preparing for a sail in it, with my friend and school-fellow, Mr. William Foster, my wheel-boat escaped from its moorings, just as we were going to step on board. With the utmost difficulty I overtook it, and as I saw three or four stage-coaches on the road, and feared that this sailing chariot might frighten their horses, I, at the hazard of my life, got into my carriage while it was under full sail, and then, at a favourable part of the road, I used the means I had of guiding it easily out of the way. But the sense of the mischief which must have ensued, if I had not succeeded in getting into the machine at the proper place, and stopping it at the right moment, was so strong, as to deter me from trying any more ex-

periments on this carriage in such a dangerous place.

Such should never be attempted except on a large common, at a distance from a high road. It may not however be amiss to suggest, that upon a long extent of iron rail-way, in an open country, carriages properly constructed might make profitable voyages from time to time with sails instead of horses; for though a constant or regular intercourse could not be thus carried on, yet goods of a certain sort, that are saleable at any time, might be stored till wind and weather were favourable.

When the time came for completing my terms at the Temple, I went again to London, and my intimacy with sir F. Delaval was renewed. Beside the incidental schemes and amusements which I have mentioned, one great object had long filled his mind. The duke of York was in love with sir Francis Delaval's sister, lady Stanhope. Her husband, sir William Stanhope, was dying, and the great object was, to keep the duke's flame alive. Every body of abilities about the duke, whom sir Francis could influence, was engaged in supporting this project.

But the hand of death put a stop to the scheme. The duke of York, in a tour to Italy, went to some ball in Rome, and, after dancing violently, caught cold in retiring by night to his residence, which was at a considerable distance from the place of entertainment: he was seized with a fever, and died. Suspicions of poison arose; but the prince of Monaco, at whose palace he died, came over to London, and dissipated this surmise.

By the death of the duke of York, sir Francis found all his schemes of aggrandisement blasted. Though a man of great strength of mind, and of vivacity that seemed to be untameable, his spirits and health sunk under this disappointment. His friends and physician laughed at his complaints. Of Herculean strength, and, till this period, of uninterrupted health, they could not bring themselves to believe, that a pain in his breast, of which he complained, was of any serious consequence; on the contrary, they treated him as an hypochondriac, whom a generous diet, amusement, and country air, would soon restore. He was ordered, however, to use a steam-bath, which was then in vogue, at Knightsbridge. I went with him there one day, the last I ever saw him! He expressed for me a great deal of kindness and esteem: and then seriously told me he felt, that, notwithstanding his natural strength both of body and mind, and in contradiction of the opinion of all the physicians, he had not long to live. He acknowledged, that his mind was affected as well as his body.

"Let my example," said he, "warn you of a fatal error, into which I have fallen, and into which you might probably fall, if you did not counteract the propensities, which might lead you into it. I have pursued amusement, or rather frolic, instead of turning my ingenuity and talents to useful purposes. I am sensible," continued he, "that my mind was fit for greater things, than any of which I am now, or of which I was ever supposed to be capable. I am able to speak fluently in public, and I have per-

ceived, that my manner of speaking has always increased the force of what I have said. Upon various useful subjects I am not deficient in information; and if I had employed half the time and half the pains in cultivating serious knowledge, which I have wasted in exerting my powers upon trifles, instead of making myself merely a conspicuous figure at public places of amusement, instead of giving myself up to gallantry which disgusted and disappointed me, instead of dissipating my fortune and tarnishing my character, I should have distinguished myself in the senate or in the army, I should have become a useful member of society, and an honour to my family. Remember my advice, young man! Pursue what is useful to mankind, you will satisfy them, and, what is better, you will satisfy yourself."

Two mornings afterwards he was found dead in his bed. His friends, perhaps, to obviate any suspicion of his having destroyed himself, had his body opened, and the physician, who attended, informed me, that his death was probably occasioned by an unnatural distention of his stomach, which seemed to have lost the power of collapsing. This they attributed to his drinking immoderate quantities of water and small beer. He always had a large jug of beer left by his bed-side at night, which was usually empty before morning.--Whether this was cause or effect still remains uncertain. Thus ended sir Francis Blake Delaval. Descended from illustrious ancestors, born with every personal advantage, of a countenance peculiarly prepossessing, tall, strong, ath-

letic, and singularly active, he excelled in every manly exercise, was endowed with courage, and with extraordinary presence of mind; yet all in vain. His parting advice was not thrown away upon me. Indeed I had heard and seen sufficient to convince me, that a life of pleasure is not a life of happiness, and that to the broad gaiety of public festivity there frequently succeeds insupportable ennui in private--ennui, which often drives men to the worst vices merely for emotion and occupation.

R. L. EDGEWORTH, ESQ.

(*From the same.*)

IT has been said, that the best part of an author is always in his books. Upon this principle, the biography of literary men generally consists of little more than the history of the books which they have written, the dates of their publication, their different editions and variations, with an account of the quarrels and controversies, that may have occurred with brother authors, and a display of the encomiums of friends, or a repetition of complaints of the injustice of critics. All such tiresome topics the reader of these memoirs has been spared the more readily, because the best part of him, whose life I am writing, was *not* in his works. He undervalued his literary talents, so much, that for many years of his life he said, that he could not *write*. In one of his early letters to Mr. Day, the reader may recollect his concluding with, "You know I am no writer; my ideas do not, like yours, flow to my pen readily." He thought, that the early habit of writing Latin had given a Latin

construction to his style ; and I have often heard him declare, that he never wrote any thing he could bear to read till he was past forty. He never seemed to be satisfied with his own writing, when he knew it to be his. In general, he so completely forgot what he had written, that we have often read passages to him, without his recognizing them ; and have cheated him into praising these, when he believed them to have been written by another. Though he had passed much of his youth with some of the most celebrated writers of his age, this did not excite in him any ambition to become an author, he was content with assisting and enjoying the celebrity of his friends.

One little book, however, he and Mrs. Honora Edgeworth began, I believe, in the year 1778, when she, in teaching her first child to read, found the want of something to follow Mrs. Barbauld's lessons, and felt the difficulty of explaining the language of the books for children, which were then in use.

“ Favete linguis——
Virginibus puerisque canto,”

was the motto of this little volume, which was the first part of “ Harry and Lucy,” or of “ Practical Education,” as I find it called in the title page to the first copies, printed literally for his own children, and not published for many years afterwards. He intended to have carried on the history of Harry and Lucy, through every stage of childhood ; to have diffused, through an interesting story, the first principles of morality, with some of the elements of science and literature, so as to show parents how these may be taught, with-

out wearying the pupil's attention. Much of this plan has, in different forms, been since executed in various publications, by persons of information and talents, who have, of late, written for young people ; but at the time to which I refer, the design was new, and scarcely any English writer of eminence, except Dr. Watts and Mrs. Barbauld, had condescended to write for children.

“ Mr. Day, who was much pleased with my father's plan, offered to assist him, and with this intention began Sandford and Merton, which was first designed for a short story, to be inserted in Harry and Lucy. The illness of Mrs. Honora Edgeworth interrupted the progress of that little volume, and after her death, the ideas associated with it were so painful to my father, that it was not at that time continued. Meanwhile, Mr. Day wrote on rapidly, and finished and published his delightful book. Often, with pride and pleasure, my father used to say, that the public owed Sandford and Merton to him, since it was he, who first turned his friend's attention to the subject, and excited him to write an elementary work on education. After Harry and Lucy had remained, for above twenty years, with the first part printed, but not published ; it was at last given to me, for a part of “ *Early Lessons*.”

In fact, my father never exerted himself to write, or thought of becoming an author, till he felt sufficient motive, in the wish to encourage and assist me to finish “ Practical Education.” All his literary ambition then and ever was for me.

After “ Practical Education,”

the next book which we published in partnership was (in 1803) the "Essay on Irish Bulls." The first design of this Essay was his:—under the semblance of attack, he wished to show the English public the eloquence, wit, and talents of the lower classes of people in Ireland. Working zealously upon the ideas which he suggested, sometimes, what was spoken by him, was afterwards written by me; or when I wrote my first thoughts, they were corrected and improved by him; so that no book was ever written more completely in partnership.

On this, as on most subjects, whether light or serious, when we wrote together, it would now be difficult, almost impossible, to recollect, which thoughts originally were his, and which were mine. All passages, in which there are Latin quotations or classical allusions, must be his exclusively, because I am entirely ignorant of the learned languages. The notes on the Dublin shoe-black's metaphorical language, I recollect, are chiefly his.

I have heard him tell that story with all the natural, indescribable Irish tones and gestures, of which written language can give but a faint idea. He excelled in imitating the Irish because he never overstepped the modesty or the assurance of nature. He marked exquisitely the happy confidence, the shrewd wit of the people, without condescending to produce effect by caricature. He knew not only their comic talents, but their powers of pathos; and often when he had just heard from them some pathetic complaint, he has repeated it to me while the impression was fresh. In the chapter on wit and elo-

quence, in Irish Bulls, there is a speech of a poor freeholder to a candidate, who asked for his vote; this speech was made to my father, when he was canvassing the county of Longford. It was repeated to me a few hours afterwards, and I wrote it down instantly, without, I believe, the variation of a word.

In the same chapter there is the complaint of a poor widow against her landlord, and the landlord's reply in his own defence. This passage was quoted, I am told, by Campbell, in one of his celebrated lectures on eloquence. It was supposed by him to have been a quotation from a fictitious narrative, but, on the contrary, it is an unembellished fact. My father was the magistrate, before whom the widow and her landlord appeared, and made that complaint and defence, which he repeated, and I may say acted, for me. The speeches I instantly wrote word for word, and the whole was described exactly from the life of his representation.

After the "Essay on Bulls," my father never published any thing for several years, except some elementary books, suggested by feeling the want of them in his own family. In 1802 he published "Poetry explained for Young People": in 1816, "Readings on Poetry:" and at various times, different parts of "Early Lessons." He also explained and illustrated his method of teaching to read, in a small tract, called "A Rational Primer." No man, who knew the world as well as he did, would have put his name to such books, or would have condescended to devote his time and talents to writing them, had his

object been literary celebrity. Nothing but the true desire to be useful could have induced any man of talents, to choose such inglorious labours; but he thought no labour, however humble, beneath him, if it promised improvement in education. To the construction of twenty pages of a "Rational Primer" he devoted more time than it would have cost him to write an octavo volume on another subject. It gave him more trouble, than those who are not used to the difficulties of early instruction can be aware, that the subject demands, or deserves.

In the introduction to this primer, a striking fact is asserted relative to the short time in which a child, taught by the method there described, learned to read. I have to add, that further trials upon different children in his own family, increased his confidence in the success of his plan. The quickness, with which the pupil may learn, he considered but as an inferior and comparatively unimportant object. His purpose was, to prevent children's associating with their first ideas of literature the painful feelings of overstrained or disappointed attention; and it was in this point of view chiefly, that he considered his mode of teaching to read as of material consequence. His principle of always giving distinct marks for each different sound of the vowels has been since brought into more general use. It forms the foundation of Pestalozzi's plan of teaching to read. But one of the most useful of the marks in the "Rational Primer," the mark of obliteration, designed to shew what letters are to be

omitted in pronouncing words, has not, I believe, been adopted by any public instructor. As to the method in general, more time than has yet elapsed must put it to the only sufficient trial, to that of experience, before we can decide on its expediency.

With respect to his other elementary books, "Readings on Poetry," and what he wrote of "Early Lessons," I have only to say, that children and parents have given him the satisfaction, which he most desired—the pleasure of knowing, that these books have answered the purpose for which they were intended.

In 1808 he published "Professional Education." This work has now been a sufficient time before the public, to have been appreciated with that justice, which time alone can grant. The best criticism and analysis that I have seen of this book, and of my father's general principles of Education, are in Rees's Encyclopedia, in the article, "Moral and Intellectual Education."

Compared with his powers of mind, my father wrote but little, but I may be permitted to say how much as a critic he did for me. Yet, indeed, this is out of my power, fully to state to the public—only that small circle of our friends, who saw the manuscripts before and after they were corrected by him, can know or imagine how much they were improved by his critical taste and judgment. Of the pains, the care he took, I may, perhaps, give some idea, by simply stating the facts.

The reader may, perhaps, recollect in one of his first letters to Mrs. Edgeworth, in 1783, hearing of a translation of Adele

and Theodore, which he was correcting, and which he sat up a night to finish. Another translation appeared, just as this was completed, and his labour, in this revision was so far lost; but he was quite satisfied, because, as he said, he had attained his chief object, which was by example, as well as by precept, to excite and inure his pupil to application. I was at that time almost a child, and to ensure my perseverance, he had made me promise, that, if I began, I would finish; this would never have been accomplished, but for his sympathy, the interest he showed in my progress, and the large share of labour he took himself, which could not but excite a grateful emulation. Mr. Day, who had a horror of female authorship, was alarmed and shocked by my father's having permitted his daughter even to translate. Some examples of want of discretion, and of ill conduct, which he had seen in women of literary talents, had prejudiced him to such a degree against female literature, that at one time, he was nearly of sir Anthony Absolute's opinion, that the extent of a woman's erudition should consist in her knowing her simple letters, without their mischievous combinations. He often repeated the lines, which, it was said, Dr. Johnson once quoted to a celebrated authoress:

“Nor make to dangerous wit a vain
pretence,
“But wisely rest content with sober
sense;
“For wit, like wine, intoxicates the
brain,
“Too strong for feeble woman to sus-
tain;
“Of those that claim it, more than
half have none;
“And half of those that have it, are
undone.”

Mr. Day wrote a congratulatory letter to my father, when the publication of the translation of Adele and Theodore was prevented. This letter contained an eloquent philippic against female authorship, to which my father replied, defending the cause of female literature.

From their containing personal allusions, these letters were, I suppose, destroyed with those, which my father committed to the flames, for I have not been able to find them. The impression however, which the eloquence of Mr. Day's letter made, though I heard it read only once, at the time it was received, remained for years in my mind; and it was from the recollection of his arguments, and of my father's reply, that “Letters for Literary Ladies” were written nearly ten years afterwards. They were not published, nor was any thing of ours published, till some time after Mr. Day's death. Though sensible, that there was much prejudice mixed with his reasons; yet, deference for his friend's judgment prevailed with my father, and made him dread for his daughter the name of authoress. Yet though publication was out of our thoughts, as subjects occurred, many essays and tales were written for private amusement.

Among others written many years ago, was one called “The History of the Freeman Family.” In 1787, my father, to amuse Mrs. Elizabeth Edgeworth, when she was recovering after the birth of one of my brothers, related to us every evening, when we assembled in her room, part of this story, which I believe he invented as he went on. It was found

so interesting by his audience, that they regretted much that it should not be preserved, and I in consequence began to write it from memory. "The plan, founded on the story of two families, one making their way in the world by independent efforts, the other by mean arts, and by courting the great, was long afterwards the ground work of "Patronage." The character of lord Oldborough was added, but most of the others remained as my father originally described them: his hero and heroine were in greater difficulties than mine, more in love, and consequently more interesting, and the whole story was infinitely more entertaining. I mention this, because some critics took it for granted, that he wrote parts of "Patronage," of which, in truth, he did not write, to the best of my recollection, any single passage; and it is remarkable, that they have ascribed to him all those faults, which were exclusively mine; the original design, which was really his, and which I altered, had all that merit of lively action and interest, in which mine has been found deficient.

Whenever I thought of writing any thing, I always told him my first rough plans: and always, with the instinct of a good critic, he used to fix immediately upon that, which would best answer the purpose.—"*Sketch that, and shew it to me*"—These words, from the experience of his sagacity, never failed to inspire me with hope of success. It was then sketched. Sometimes, when I was fond of a particular part, I used to dilate on it in the sketch; but to this he always objected—"I don't want any of your paint-

ing—none of your drapery!—I can imagine all that—let me see the bare skeleton."

It seemed to me sometimes impossible, that he could understand the very slight sketches I made; when, before I was conscious that I had expressed this doubt in my countenance, he always saw it.

"Now my dear little daughter I know, does not believe, that I understand her."—Then he would in his own words fill up my sketch, paint the description, or represent the character intended, with such life, that I was quite convinced he not only seized the ideas, but that he saw, with the prophetic eye of taste, the utmost that could be made of them. After a sketch had his approbation, he would not see the filling it up, till it had been worked upon for a week or fortnight, or till the first thirty or forty pages were written; then they were read to him, and if he thought them going on tolerably well, the pleasure in his eyes, the approving sound of his voice, even without the praise he so warmly bestowed, were sufficient and delightful excitements to "go on and finish." When he thought that there was spirit in what was written, but that it required, as it often did, great correction, he would say, "Leave that to me: it is my business to *cut* and correct—yours to write on." His skill in *cutting*—his decision in criticism was peculiarly useful to me. His ready invention and infinite resource, when I had run myself into difficulties or absurdities, never failed to extricate me at my utmost need. It was the happy experience of this, and my consequent reliance on his abi-

lity, decision, and perfect truth, that relieved me from the vacillation and anxiety to which I was so much subject, that I am sure I should not have written or finished any thing without his support. He inspired in my mind a degree of hope and confidence, essential in the first instance to the full exertion of the mental powers, and necessary to ensure perseverance in any occupation. Such, happily for me, was his power over my mind, that no one thing I ever began to write was ever left unfinished.

Independently of all the advantages, which I, as an individual, received from my father's constant course of literary instruction, this was of considerable utility in another and less selfish point of view. My father called upon all the family to hear and judge of all we were writing. The taste for literature, and for judging of literary composition, was by this means formed and exercised in a large family, including a succession of nine or ten children, who grew up during the course of these twenty-five years. Stories of children exercised the judgment of children, and so on in proportion to their respective ages, all giving their opinions, and trying their powers of criticism fearlessly and freely. The sympathy with numbers, the mixture of the younger with the elder parts of the family in one and the same literary interest, was, in every point of view, advantageous. Every individual, feeling for or with the author, found his attention excited and kept up in discussing points of criticism, which might otherwise have been tiresome. My father listened with such acute-

ness of attention and affectionate avidity, that not a word escaped him—I do not say, not a *fault*.

My father's sympathy, in whatever I wrote, went through or along with every other interest of his mind: with the most kind consideration and address, he always managed so, that the reading of any thing I had prepared should be at the most agreeable times not only for himself, but for the whole family.

When he had been tired with the morning's business, he used in the evening to call upon me, to read something to refresh and entertain him.

He would sometimes advise me to lay by what was done for several months, and turn my mind to something else, that we might look back at it afterwards with fresh eyes. On the advantages of this practice, in confirmation of Horace's old precept, he pointed out to me some observations of Dr. Johnson's,* which are so just in thought, and forcible in language, that they made an indelible impression on my mind.

Many things I had written lay by several years, while I was occupied on others; and they were reconsidered by my father, read again at long intervals, and re-corrected with such drudgery of revision, as nothing but the strength of affection could have made supportable to a man of his vivacity and his genius.

Were it worth while, I could easily point out many hints for invention, furnished by the incidents and characters he had met with in his youth, and which he related to me. But the reader will be best pleased with discover-

* Rambler, No. 169.

ing these for himself in the preceding memoirs.

I may mention, because it leads to a general principle of criticism, that, in many cases, the attempt to join truth and fiction did not succeed: for instance, Mr. Day's educating Sabrina for his wife suggested the story of Virginia and Clarence Hervey, in *Belinda*. But to avoid representing the real character of Mr. Day, which I did not think it right to draw, I used the incident, with the fictitious characters, which I made as unlike the real persons as I possibly could. My father observed to me afterwards, that, in this and other instances, the very circumstances, that were taken from real life, are those that have been objected to as improbable or impossible; for this, as he shewed me, there are good and sufficient reasons. In the first place, anxiety to avoid drawing the characters, that were to be blameable or ridiculous, from any individuals in real life, led me to apply whatever circumstances were taken from reality to characters quite different from those to whom the facts had occurred; and, consequently, when so applied, they were unsuitable and improbable: besides, as my father remarked, the circumstances, which in real life fix the attention because they are out of the common course of events, are for this very reason unfit for the moral purposes, as well as for the dramatic effect of fiction. The interest we take in hearing an uncommon fact often depends on our belief in its truth. Introduce it into fiction, and this interest ceases, the reader stops to question the truth or probability of the narrative, the illusion and the

dramatic effect are destroyed; and as to the moral, no safe conclusion for conduct can be drawn from any circumstances, which have not frequently happened, and which are not likely often to recur. In proportion as events are extraordinary, they are useless or unsafe, as foundations for prudential reasoning.

Besides all this, there are usually some small concurrent circumstances connected with extraordinary facts, which we like and admit as evidences of the truth, but which the rules of composition and taste forbid the introducing into fiction; so that the writer is reduced to the difficulty either of omitting the evidence on which the belief of reality rests, or of introducing what may be contrary to good taste, incongruous, out of proportion to the rest of the story, delaying its progress, or destructive of its unity. In short, it is dangerous to put a patch of truth into a fiction, for the truth is too strong for the fiction, and on all sides pulls it asunder.

Invention, it is said, is often overawed by criticism, and many writers have complained, perhaps with justice, of critics who can never suggest any thing new, in the place of that to which they object. Mine was a critic of a different sort; one who knew well both the difficulties and pleasures of invention—one, who, if he objected, knew how to remedy—who, even in assisting, knew how to give the writer all the pleasure of original composition. He left me always at full liberty to use or reject his hints, throwing new materials before me continually, with the profusion of genius and of affection. There was no danger

of offending, or of disappointing him by not using what he offered. There was no vanity, no selfishness, to be managed with delicacy and deference; he had too much resource ever to adhere tenaciously to any one idea or invention. So far from it, he forgot his gifts almost as soon as he had made them—thought the ideas were mine, if they appeared before him in any form in which he liked them; and if never used, he never missed, never thought of inquiring for them. Continually he supplied new observations on every passing occurrence, and wakened the attention with anecdotes of the living or the dead. His knowledge of the world, and all that he had had opportunities of seeing behind the scenes in the drama of life, proved of inestimable service to me; all that I could not otherwise have known, was thus supplied in the best possible manner. Few female authors, perhaps none, have ever enjoyed such advantages in a critic, friend, and father, united. Few have ever been blest in their own family with such able assistance, such powerful motive, such constant sympathy.

THE ANCESTORS OF HANS FRANCIS, THE PRESENT EARL OF HUNTINGDON.

(*From Bell's Huntingdon Peerage.*)

After the death of Francis, the tenth earl of Huntingdon, as if by common consent of all parties, as well those who endured the wrong, as those who profited by it, the title was permitted to drop into oblivion, and the fortune, destined to support its lustre, tamely suffered to be frittered,

and transferred, and to devolve away, however illegally, even in the presence, and under the very eyes, of the rightful heirs of both, without an effort, on their part, to prevent such spoliation. By this strange and culpable apathy, the family with whom the heirship rested, year after year, gradually lost sight of it, to the irreparable prejudice of their posterity, who have now succeeded to the noble inheritance, with all its honours unimpaired it is true, but almost wholly shorn of the revenues which belonged to it, and which are so indispensable to the true maintenance of its dignity. To the character of the late earl we have willingly given every advantage of contemporary praise; but justice here compels us to visit upon his memory all the odium of having deliberately alienated, as far as in him lay, the possessions which were attached to, and should descend with, the title of his ancestors; and this under no palliating ignorance, that the earldom should become extinct at his death, but with the full consciousness on his mind, that the succession belonged to the family of Theophilus and George, his kinsmen and intimate friends, and must one day devolve upon them or their issue. “The claims of this branch,” says the invaluable letter of the countess of Moira, hereafter inserted, “were acknowledged by my father, and all my family, and the proofs were delivered to my late brother Francis, last earl of Huntingdon.” —“My aunt, Lady Anne Hastings, told me she had given the proofs to my deceased brother, and my father always assented to their having the claim of pre-

sumptive heirs." His lordship therefore was long and fully apprised of the circumstances in which the succession stood; and under whatever influence, or partiality, or with whatever concert, he acted, truth must stamp the transaction as a deep, deliberate, and unprovoked family and personal injury, as well as a flagrant public injustice. The reverend Theophilus Hastings, uncle to the present earl, was, or imagined himself to be, then too old to prosecute his claim as immediate heir. His younger brother, colonel George, who died a few years before him, during the latter part of his life was rendered unable, by mental incapacity, occasioned by a fall from his horse, to attend to any business; and though possessed of very important papers, some of which he destroyed in a temporary fit of derangement, never could take any steps to secure the inheritance to his issue. His sons, in the bustle of professional life, and honourably serving their country in foreign parts by land and sea, had little leisure for reviving the subject; or, if attention was turned that way, found themselves precluded by limited fortune from entering on so expensive a process. Thus, by negligence and inability on the one hand, and criminal artifice and interested mystery on the other, the ancient earldom of Huntingdon had been suffered to remain in abeyance for nearly thirty years, when it was at last claimed and obtained by Hans Francis, the eleventh and present earl, as eldest lineal male descendant of sir Edward Hastings, fourth son of Francis, the second earl, to which sir Edward, therefore, it now becomes

our duty to return, in order distinctly to trace the restored line down to his lordship, the recent successor.

This sir Edward Hastings, then, was of the abbey of Leicester, and fourth son of Francis, second earl of Huntingdon, and younger brother of Henry and George, third and fourth earls. He espoused Barbara, eldest daughter and coheir of sir William Devereux, knt. of Mirevel-abbey, Warwickshire, third son of Walter, viscount Hereford, and widow of Edward Cave, esq. of Ingarsby, in Leicestershire; and by that lady had two sons, Henry and Walter, the latter of whom died without issue. In the records of the court of exchequer, we find an entry of the following rule, dated 20th of November, twenty-first of Elizabeth.

"Whereas the abbey of Leicester, in the county of Leicester, is seized into her majesty's hands for the debt of Henry, late earl of Huntingdon, at 20*l.* per annum, and the same charged in the account of William Skipwith, esq. now sheriff of the said county. And whereas, this court was informed, in Trinity term last past, by sir Edward Hastings, knt. tenant of the said abbey, that he purchased the said abbey of the said earl, in the twenty-second year of her majesty's reign, and that all the debts of the said earl due to her majesty before the time of his purchase were answered; and prayed that process might be stayed, and offered to enter into bond in this court to pay the said seizure, or else procure his discharge before the end of this term, which this court thought reasonable, and the said Edward entered into a bond ac-

cordingly: now forasmuch as this court is further informed by Mr. Morgan, being of counsel with the said sir Edward Hastings, that the said sir Edward, by reason of extreme sickness where-with he had been visited almost ever since (and at this time is in great peril of death), could not proceed in pleading his discharge, and humbly craved longer time for the same, and that no advantage should be taken by reason of his said bond, it is ordered by this court the 20th of November, this term, that the said sir Edward Hastings shall have day given until the next term to procure his discharge of the said seizure; and his said bond to remain as it now doth, and no process to be made thereupon."

Sir Edward died in 1603, and was buried at Ashby de la Zouch. In the old registry book of the parish of St. Mary's, in Leicester, is preserved the annexed curious licence, granted in 1618 to lady Barbara, his relict, permitting her to eat flesh during Lent, on account of her great age.

"Whereas a licence in the beginning of Lent was granted by me, John Bonnet, minister of the parish of St. Mary's Leicester, to the lady Barbara Hastings, of the Newark, next adjoining to the parish aforesaid; and another the same time to John Chippendale, doctor of law, of the Newark aforesaid, to license them, in respect to their great age and weak estate, to eat flesh, and those licences to endure for one week only; now because it appeareth that the necessity of their health requireth a continuance of the said licenses; know, therefore, that I, the said John Bonnet, do license the said lady Hastings

and John Chippendale to eat flesh at their pleasure during the whole Lent, according to a statute in that case made and provided. In witness whereof I have caused it to be registered in the church book, under the hands of me, the minister aforesaid, and one of the churchwardens, as the statute requires, the 26th of February, in the year of Christ, according to the computation of the church of England, 1618.

By me, JOHN BONNET,
*"Minister of St. Mary's,
 Leicester, in Leicestershire,
 and curate there."*

Sir Henry, eldest son of sir Edward, purchased Humberston, and was knighted April 23, 1603, by king James the First, at Belvoir-castle, and obtained, by letters patent from his majesty, in consideration of the sum of 4,000*l.* paid by him and Henry Cutler, gent. the manor of Whitwick, with the lands belonging to it, formerly the property of the duke of Suffolk, attainted of high treason, together with Burdon-park, and all the messuages, lands, &c. in Charwood Forest, appertaining to the said manor.

In the year 1619 he was sheriff of Leicester. He married Mabel, daughter of Anthony Faunt, of Fauston, and by her had four sons, Henry, Walter, Richard, and Anthony, and two daughters. Walter and Richard, the second and third sons, died without issue, the former at Windsor, circa 1672; and Anthony, the fourth, who was of Windsor, married a Miss Watkinson, by whom he had a son, Henry. This Henry went to Ireland, and is ancestor of the present Dean Hastings, of Newtownbutler, in that part of

the united kingdom. Sir Henry died in 1629, as did his wife the preceding year. On her tomb is the following inscription, now almost defaced. "Here lyeth buried the virtuous lady, and most worthy of all honour, Mabel, late wife of sir Henry Hastings, knight, soone of sir Edward Hastings, soone of Francis earl of Huntingdon. She was the daughter of Anthony Faunt, of Fauston, esq."

Henry Hastings, of Humberston, esq. eldest son of sir Henry Hastings, married Jane, daughter of — Goodall, of Belgrave, in Leicestershire, esq. by whom he had issue five sons, Henry, Walter, Richard, Ferdinando, and Edward, and five daughters; and died, as appears by the registry of Humberston, at which place he was buried, about the year 1654. This gentleman, in consequence of his loyal attachment to Charles I. suffered great persecution from the parliamentary forces, who took him prisoner, and confined him at Leicester, while they kept Humberston in their hands. He was at last obliged, by losses and exactions, to sell that place, having been fined 2,072*l.* 13*s.* 4*d.* by the sequestrators, as was also his brother Anthony, for maintaining similar principles of loyalty towards his unfortunate sovereign. Of the five sons, Edward, the fifth, and Ferdinando, the fourth, died young and unmarried; Henry, the eldest, who, in the pedigree of sir Edward Hastings, of 1681, is described as "the next male branch to the earls of Huntingdon, after the descendants of Henry Hastings, of Woodlands," married Pentecost, daughter of Edmund Smalley, of Leicester,

and dying without issue, as appears by his will, appointed her his sole executrix, and bequeathed her all his real and personal estate. Walter, the second son, who was of Rempston, in Nottingham, espoused Hannah, daughter of Edmund Craddock, of Leicester, by whom he had issue two daughters, Jane and Anne, both married and an only son Henry, who was of Castle Donnington, and died at Loughborough, in the year 1753, a bachelor; and Richard, the third son, whose issue continued the succession, was of Welford, in Northamptonshire, and, dying in 1714, left by his wife, Sarah Sleath, who died in 1707, an only son Henry, to whom he bequeathed all his possessions.

This Henry Hastings, only son of Richard Hastings, of Welford, born in 1701, was left an orphan at the age of fourteen years, and the trustees appointed by his father's will dissipated a great part of his property. In 1727 he married Elizabeth, daughter of — Hudson, esq. and had issue by her three sons, Theophilus Henry, George, and Ferdinando; and two daughters, one of whom, Sarah, was married to Thomas Needham, esq. His death took place in 1786, many years previous to which he was best known by the name of lord Hastings, bestowed upon him through courtesy, and anticipating his near and well-known claim to the earldom. Ferdinando, the youngest son, died at Lutterworth of a decline in his fourteenth year.

Theophilus Henry, the eldest son, was born at Lutterworth, and baptized October 7th, 1728; Theophilus, the ninth earl, being

his god-father. He was educated for the church by the rev. Granville Wheeler, son of the famous traveller, sir George Wheeler, and husband of lady Catherine Maria, fourth daughter of Theophilus, the seventh earl. He was rector of Great and Little Leke, and of Osgathorpe, and vicar of Belton. He espoused, first, a Miss Pratt, who died not many months after their marriage; and secondly, in his 70th year, Elizabeth Warner, aged 50; and died in 1804, without issue and intestate. There is a whimsical anecdote connected with this second union, which we cannot resist the temptation of relating for its singularity. While Mr. Hastings was yet young, and residing with the earl of Huntingdon, in quality of domestic chaplain to his lordship, he became enamoured, somewhat uncanonically, of a very pretty chambermaid, called Bessy Warner, then living in the family. The lover was assiduous and passionate, but Bess, on her part, was quite as tenacious; till, in the end, he pledged his honour, with proper solemnity, that as soon as he had got possession of the living of Great and Little Leke, he would make her his wife, upon certain present conditions, with which, on the faith of his word, she was at last induced to comply. In the ebbs and flows of human life, and its shifting concerns, early acquaintances are soon separated, and forgotten. Thirty years had elapsed. Mr. Hastings, meantime, had lost his first wife, and gained a second living—it was that of Great and Little Leke. One day the venerable old pastor was surprised by the apparition of a strange post-chaise and four

driving rapidly up the avenue to the parsonage-house. An elderly gentlewoman alighted from it, and Miss Warner was ushered into his reverend presence, her matron cheek covered with the blushes of memory! After an interval of surprise and recognition, she proceeded to tell him “that she had come to claim the fulfilment of his promise; that he had long since made the acquisition of fortune on which his obligation of performance depended; and that, on her part, she had never, by the slightest indiscretion, swerved from an engagement which she considered sacred from the first moment.” How far the old gentleman, who had travelled north of his grand climacteric, might have felt startled at so abrupt and grave a proposal, and what remonstrances he might have urged “to cry this dreadful summoner grace,” we know not; but it is certain, that, after duly satisfying himself by diligent inquiry concerning the lady’s conduct and character, which were found strictly correct and virtuous from the date of her last interview with him, the banns were formally announced in the church by himself, and the parties married accordingly. On this occasion he presented his bride with a ring bearing the inscription, “It is consummated,” in Latin, which he enjoined her to wear as long as she lived. At the time of publishing the banns, it is further told, he mentioned the bride by the familiar name of Betsy, upon which, she being then present, stood up in the pew, and said, “her name was Elizabeth, not Betsy;” the whole of the auditors being highly diverted by the unseasonable emen-

dation. Such was Mr. Hastings's conscientious *amende honorable*, which cannot be viewed in any other than an amiable and creditable light; and it were "devoutly to be wished" that all whose passions impel them to similar injuries against female innocence might be obliged to follow his example in reparation.

This gentleman was primitive in his notions and manners, and of a most hospitable temper, as was evinced, among other peculiarities, by a singular custom, punctually observed in his house, of lighting a large fire and candles, and leaving abundant refreshments in his kitchen every night, at the usual hour of the family retiring to rest, for the purpose of cheering and regaling such benighted travellers as might chance to wander that way. Some of his indigent neighbours, it is said, were in the habit, secretly or under false pretences, of imposing on the good man's generosity, and nightly making themselves merry on the plenteous board spread for so benevolent a purpose.

For some time after the late earl's death the reverend Mr. Hastings assumed the title of earl of Huntingdon; and there is a stone pillar standing in front of the parsonage house, at Leke, on which there was a plate bearing a Latin inscription, stating him to be the eleventh earl of Huntingdon, godson of Theophilus, the ninth earl, and entitled to the earldom by descent.* In fact it was notorious that he was the immediate heir. However, accus-

tomed to pastoral duties and literary retirement, he had but little of ambition's "sterner stuff" about him; and was, moreover, strongly averse to the scene of litigation, in which the prosecution of his claim must necessarily have involved him, in consequence of the impediment of earl Francis's iniquitous will. At a more advanced period of his life, and after his second marriage, when reproved by his friends for this strange neglect and indifference respecting the earldom, he used to parry the topic by pleading his great age, which warned him rather to retire from, than to seek, honours, and by saying, that he never would make Betsy, his wife, countess of Huntingdon.

We will conclude our account of the reverend Theophilus Hastings with the subjoined letter written by him to his parents.

Leke, August 3, 1755.

" Dear father and mother ;

" This is the third time I have written to you since I received yours, informing me of my brother Ferdy's death. I was not at all surprised at that event, and indeed not greatly grieved; for we were certain his sufferings were grievous in this world, but have great reason to hope he is happy in another. I think I need say no more to persuade you to moderate your grief. I was at Ashby the Sunday and Monday before lady Anne died; there I wrote the first letter, and left it with Mrs. Ingle to be sent by Mr. Sleath. Lady Huntingdon was there at that time, and I had the honour of preaching twice before her. Her ladyship is to dine here with Mr. Wheeler to-mor-

* This plate covered another Latin inscription, stating that it was erected by Theophilus the second earl of Huntingdon of that name.

row, and sets forward on Tuesday morning for Yorkshire to visit lady Margaret, where she proposes to stay about a fortnight. I do not know any thing of the particulars of lady Anne's will, only that Miss Wheeler is sole executrix, and that I had the honour of being mentioned in it. Indeed it is little more than an honour, for what she has bequeathed me is of small value. It is a steel seal, with the crest of the family upon it. Mr. Wheeler came here last Wednesday from Ashby, where he has been since the funeral. How long he will stay with us I do not know. His coachman told me that Richard was to be at Lutterworth on Thursday; I hope it was to acquaint you that her ladyship has not forgotten you in her will. I have only time to desire you will make yourselves easy; my love to sister Sally, and brothers and sister at Eaton, and to subscribe myself, dear father and mother, your affectionate son,

“ T. HASTINGS.”

In his religious principles Mr. Hastings was a zealous supporter of the established faith, and a constant and animated opposer of the sect of Methodists, by which last application of his talents he incurred the severe displeasure of the countess dowager Selina, and probably the loss of a great part of her fortune, which might otherwise have been bequeathed to him, or his brother's family.

George Hastings, second son of Henry Hastings, of Lutterworth, esq. was born in that town, and baptized on the 6th of June, 1735. Theophilus, ninth earl of Huntingdon, then enjoying the succession, took both George and

his elder brother Theophilus Henry, at a proper age, under his immediate protection, and gave charge of their education to the reverend Mr. Wheeler, jointly with that of his own son lord Francis, afterwards tenth earl. George, it appears, was in his school-days extremely wild, and of a very “truant disposition;” and the earl, in order to reclaim him from his idle habits, put in practice a little stratagem well calculated to call back the scattered faculties of an aspiring young mind to their proper sphere of action. His lordship one day took occasion, in a proper tone of severity, to inform the young offender, that if he did not in future pay more attention to his studies, he would certainly have him apprenticed to some mechanic employment, as best befitting one whose inclinations seemed so much averse to any elegant acquirement. This menace, however, produced little or no effect on the conduct of George, whose boyish freaks, and impatience of his book, were as frequent and obvious as ever. At length lord Huntingdon sent orders to his carpenter in the contiguous village of Donnington to attend him early the following morning, before our young gentleman, then living at Donnington-park, should have made his appearance. On the arrival of this person, his lordship, taking him privately into his study, revealed to him the scheme he had laid to bring about the reformation of his favourite; and the carpenter, being a man of much natural shrewdness and humour, at once entered into his employer's views. The culprit, as soon as he had got up, was summoned into their

presence, and his lordship, after much severe animadversion on the incurable misconduct of the boy, ordered him to consider himself the carpenter's apprentice, under pain of the entire forfeiture of his future friendship; at the same time placing in the new master's hands a sum of money, which he said was a fee, and for the further purpose of providing the tyro with the necessary budget of tools. The servants in the family, with whom George's early manifestations of a most generous and forgiving temper had made him a great favourite, but who were ignorant of the secret, lamented his fate, and even dared loudly to murmur against his lordship's injustice, threatening the carpenter with vengeance if he did not prove the kindest of masters. After breakfast, and when the proper preparations for departure were completed, an offer was made to send a carriage with the young adventurer as far as his destination; but this he haughtily rejected, and left the park on foot, overwhelmed with shame, regret, and indignation. As they proceeded, the carpenter tried to soothe his wounded feelings, not omitting, at the same time, to reflect with due severity on the folly of the conduct which had thus driven him from the earl's presence; but George remained silent, though not at all sulky, the whole of the way. On entering the new abode he was kindly received by the family, and shown into a room, while the carpenter went out under pretence of procuring him a set of tools. Some time after he returned, accompanied by one of his workmen, laden with the necessary implements.

These he presented, with a long dissertation on the particular uses and excellence of each, to George, who listened with much philosophic gravity, and even good humour; after which preliminary lecture, he went out to indulge in the relaxation of an evening walk towards the centre of the town. By this time almost all the lads of the village had heard the story of his fallen fortunes, and gathered round him, tendering their condolence and services, and railing at the earl's cruelty. George returned thanks to his juvenile friends for their kindness, and then, collecting courage, addressed them in very animated terms, and with appropriate gesture. He had frequently, he said, heard his father declare that he was a near relative of the noble earl, next in descent to the family estates and honours, and begged to ask, was it fit that such a person so born and allied should be a *coffin-maker*? To this indignant interrogatory an unanimous and clamorous negative was the reply. "Well then, my lads," resumed the urchin orator, "come with me to that house, (pointing to the carpenter's,) and assist me to carry those vile implements to the top of the hill above the park, and there make a fire of them; for I'll be d——d if any Hastings of our blood shall ever stoop to drive a plane. So, come along, my lads, and we'll send for lord Hastings to lend a hand." The tiny chieftain forthwith led his little band to the attack; and the carpenter, unwilling to resist, or probably apprehensive of being roughly handled, quietly surrendered the offensive tools, which were borne in triumph to the

place of execution, and there consumed amidst the reiterated and vociferous acclamations of this troop of young villagers. The earl of Huntingdon, on learning this result of his scheme of reform, shed tears of pleasure, exclaiming, that George was a noble, high-spirited lad, that he would never forsake him, and that he should have a commission as soon as he would be old enough. He was immediately reinstated in his lordship's good graces, and soon became a greater favourite than ever at Donnington-park, especially among the females of the family, who admired the surpassing beauty and manly graces of his person, as much as they were charmed with his affable elegance of manners, and unceasing good humour.

His noble and revered old patron having died, and he having completed his education with credit, his ambition was soon gratified by the appointment procured for him, through the family interest, of a lieutenancy in the 9th regiment of foot; and, after an interval of seven years service, he was promoted to a captaincy in the same corps. Before he left Donnington-park, and after that period, he was so much beloved by lord Francis, who had succeeded to the title, that he might have been almost considered necessary to that nobleman's existence. He was his companion in all his recreations and amusements, and was entirely in his confidence, which he deserved and improved. They were mutually and inseparably attached. Every wish and intention of his lordship was unbosomed in confidence for the advice and approval of his

friend. Amidst the sunshine of such prosperity and favour, and in the constant intercourse of reciprocal regard, captain Hastings never looked for a reverse, nor dreamed of estrangement. But a more intoxicating, and, alas! not less delusive, hope was now set before him. His merits had placed him high in the estimation of every member of the family; and the countess Dowager, in the warmth of her friendship, wished to bind still closer, and perpetuate those feelings of esteem, by an union between him and her youngest daughter, the amiable lady Selina. She took an early opportunity of consulting the earl, her son, on the subject, who, on his part, consented with all possible alacrity; and instant research was thereupon ordered to be made to ascertain, beyond dispute, the pedigree of the future bridegroom, and the degree of consanguinity in which he stood to this noble family. The persons employed on this occasion were a solicitor of considerable talent then residing in Castle Donnington, and Mr. Dawson, the steward, a man of the strictest principles, and of the greatest intelligence in such matters. After a most diligent and successful search, they declared it to be their opinion, that Mr. Theophilus Hastings, and after him, his younger brother Mr. George, were presumptive heirs to the title and estates, in failure of the then earl and his issue. This news was received with enthusiasm by all the tenantry, with whom their beloved captain was a peculiar favourite. The bells of Castle Donnington rang many a merry peal, seconded by

other rejoicings, in manifestation of the pleasure and happiness which such an assurance imparted to every breast. Among the members of the family who were most actively employed in managing the preparations, and maturing the arrangements, for the nuptials, was lady Anne Hastings, the aunt of the intended bride. She took charge of all the documents, and gave orders, with the consent of the countess, for the immediate celebration of the marriage. The earl promised a handsome settlement; the preliminaries were nearly completed; every heart beat with impatience for the accomplishment of an union so auspicious; and hope and affection absorbed every thought of the youthful lovers. At that moment it pleased an omniscient Providence, whose dispensations we are not permitted to question, suddenly to deprive the lady Selina of existence, on the 12th of May, 1763, to the unspeakable affliction of the family, and the almost total deprivation of reason in her intended husband.

Captain Hastings, in the mean time, having received orders to join his regiment, tried to dissipate his melancholy amidst the bustle and occupations of a gay profession, and a gay metropolis. He soon after purchased a company in the 3rd regiment of foot guards, and had apartments assigned to him in St. James's palace. Here he became a particular favourite with our present venerable sovereign, George III, who was pleased, in the sequel, and after the proper gradations of service, to promote him to be lieutenant-colonel of that fine re-

giment. A lapse of six years had now so far softened the shock his feelings had suffered in the loss of lady Selina, as to leave his heart open to new impressions. He paid his addresses to Sarah, daughter of colonel Thomas Hodges, and of his wife ———, daughter of sir Thomas Fowler, bart. of Radnorshire, Wales, between whom and him a mutual tenderness had been conceived. His wounded affections, however, were not to be moved by female attractions of the ordinary stamp. Miss Hodges was justly considered one of the most captivating women of her time. Exquisitely lovely in her person, and adorned with every grace of manner and elegant accomplishment which the most finished education could bestow, these charms were enhanced by the sweetest disposition and a highly cultivated mind. The sanction of her parents having been obtained, the happy pair were united in St. James's church, Westminster, on the second day of April, 1769. On this joyful occasion the young couple received a polite invitation to spend some time at Donnington-park, where they were welcomed with every mark of affection and respect; and Mrs. Hastings, by her goodness and amiable behaviour, became, and, thenceforward continued, a very dear and valued friend of the countess dowager Selina. On the 19th of May, 1770, Mrs. Hastings blessed her affectionate husband with a son and heir, who was baptized Francis, in compliment to the then earl, on which event many warm and friendly congratulations were made to the family at Donnington-park. Henry, their

second son, was born the 22nd of July, 1774, and baptized the day following, the duchess of Cumberland, who made her infant protégé a handsome present on the occasion, standing god-mother. A short time before, the colonel recovered some considerable property in right of his wife; and nothing now was wanting to their felicity; happy in themselves, happy in the affections of their friends, and in the smiles of their sovereign. They occupied apartments in St. James's-palace, and moved in the first and most fashionable circles of the metropolis. Both the colonel and his lady were much caressed at court, and distinguished by the gracious favour of the king and queen, who often admitted them to their familiar society. Mrs. Hastings frequently accompanied her majesty to Hampton Court, and in her other excursions of pleasure; and the colonel was a constant guest at the royal board, and had the honour of being on intimate terms with the prince of Wales, then quite a youth, as well as with the other princes of the blood. The birth of the third son, Ferdinando, took place in the winter of 1776, and, on the 14th of August, 1779, a fourth son, Hans Francis, the present earl of Huntingdon, was born. During this series of happy events, the habitable part of the castle of Ashby had been given by earl Francis to colonel Hastings, and fitted up as a country residence for the reception of his family. The earl also gave him the Rabbit Warren, with all the grounds under that denomination adjoining the castle; and, after the family had arrived from Lon-

don, his lordship was a daily visitor at Ashby, confirming by his countenance the then general reputation of the country, that Theophilus, the *old reverend*, as he was familiarly called, and the colonel, would be the heirs to the titles and the estates. In fact, from the moment the colonel established himself within these venerable walls of his ancestors, consecrated by so many historical and family recollections, the order of the succession was considered a settled thing; and, under this certainty, many of the tenantry submitted their private affairs, or accidental disagreements, to his arbitration and decision. One occurrence, indicative of the general feeling then prevalent on this subject, we shall beg leave to introduce here. The uniformity of the principal street of Ashby was at that time destroyed, as well as the pedestrian population much incommoded, particularly at night, by flights of steps projecting from the doors of the principal inhabitants. This nuisance, which had excited some complaint, the colonel undertook to remedy, and accordingly caused the steps to be intirely pulled down, thereby opening a safe and convenient foot-way. The proprietors, however much they disapproved of such demolition, did not attempt to resist him, impressed as they were with the conviction, that he was destined to be their future lord and master. It is further worthy of observation, that, up to this period, the conduct of the earl had been such as fully to warrant this conclusion in the minds of all parties, although he had already, namely, in the year 1779, with a most perfidious and

unprovoked duplicity, perfected the will in favour of his nephew, which is an eternal disgrace to his memory. His lordship had been long in possession of every document and tradition, necessary to prove the colonel's hereditary right, and he must, moreover, have known of the existence of the deed of settlement of June, 1691, made by Theophilus, the seventh earl, intended to secure a positive and distinct provision for the successor to the earldom, as the following clause, extracted from it, sufficiently discloses.

“ And the said earl of Huntingdon also finding that, as his estate now standeth, if it shall please God that he should die without heir male of his body, there will not be any part thereof devised or come to the person or persons, who shall in such case be earls of Huntingdon, by reason whereof the said honour and dignity will be destitute of sufficient revenue to support the same: now this indenture witnesseth, that, for the preventing the said inconveniences, and for and in consideration of the natural love and affection which he the said earl of Huntingdon hath and beareth, &c. and to the intent that the persons hereinafter named, to whom, or some of whom, the honour and title of earl of Huntingdon may come, in case the said earl shall happen to die without issue-male of his body begotten, may be completely provided for, and the said honoured title freed from contempt, and for settling the manors,” &c. &c. Then follows the conveyance of the estates of Donnington and Melbourne, in trust, to the use of the various persons therein named, among whom is the great

grandfather of Hans Francis, the present earl, which latter is now the eldest surviving lineal male descendant and heir male of Francis, second earl.

On becoming of age, in 1753, earl Francis suffered a recovery of every one of his properties in the counties of Leicester, Derby, and Stafford, except the very estates specified in this deed; and by no subsequent act of his life, unless his will can be tortured to constitute such act, did he ever alienate these estates. The present earl, however, by a sort of chequered destiny, has succeeded to the title under the most adverse, yet, at the same time the most providential circumstances; and it cannot be expected that he should at once be able to expose and redress all his wrongs, or collect and substantiate every scattered claim “blown vagabond and frustrate” by the usurpers of his inheritance. But we must not forget that we are writing a history here, and not discussing a legal question. To return, therefore, from this inadvertent digression. Colonel Hastings, about the year 1790, had the misfortune, while riding in St. James's-park, to be thrown from his horse, and his head coming in contact with one of the trees or benches, occasioned a fracture of the skull, by reason of which he was subject to periodical fits of insanity for the remainder of his life. He was, in consequence, placed under the immediate care of a most skilful and respectable surgeon in Loughborough, the present Mr. Vicars of that town, who did every thing for his patient that humanity could dictate, or science accomplish, but with little beneficial

effect. During his intervals of comparative ease he occasionally visited Ashby, or went to see his brother Theophilus, then residing at Belton. Of these peregrinations of the colonel, and of the melancholy, though whimsical, aberrations of his intellect, the gentry of that part of the country to this day relate several curious anecdotes. Sometimes he imagined himself owner of the entire country; at others, that he was reduced to the lowest extremity of distress; and, labouring under this last impression, would go to his nearest neighbour, and beg of him to give him a couple of cows, or one or two hundred pounds. His friends always promised compliance, which perfectly satisfied the applicant, and he went quietly away, generally reprobating the ideal spoilers of his fortune. In one of these temporary paroxysms he unfortunately destroyed a number of very valuable papers, relative to the succession and history of the family, given him by the countess dowager Selina, and which, it is more than probable, would now be of the utmost consequence in solving some important points involved in suspicious mystery. This rash act he committed in the presence of one of his kinsmen and a servant, who, as he was armed at the time, durst not interfere to prevent him, and under a delusive belief that his brother had suddenly got a large family who would deprive him of the succession, to prevent which, as he imagined, he destroyed the papers.

In the mean time the earl of Huntingdon died, on the 2nd of October, 1789, leaving, among

other bequests, the sum of 1,000*l.* to colonel Hastings. This item of his uncle's will lord Moira communicated to the colonel in the following letter, which is its own comment:—

“ London, October 7, 1789.

“ My dear sir;

“ Upon the melancholy event which has taken place, consolation to you would come awkwardly from my distressed feelings, and condolence would be most superfluous. I shall therefore satisfy myself with simply imparting to you a proof of the warm regard which my uncle to the last bore to you, an intention which I have felt it a duty towards his kindness to transmit as soon as my spirits were sufficiently recollected. He has bequeathed to you one thousand pounds. Let me say I feel particular satisfaction at this proof of his affection towards you, and, that his intentions may operate as fully as possible for your convenience, I will, as executor, take care that the payment (which is directed within the year) shall be made as immediately as I can possibly assume the necessary direction of the affairs. To me nothing will more soothe the heavy regret for his loss than any opportunity of showing attention to those who were attached to him; added to which you well know, my dear sir, my sentiments of personal regard for you; and you will believe me very faithfully yours,

“ RAWDON.”

On the 10th of the same month of October, lord Moira, his uncle's remains being yet unburied, proved the will, and, under its authority and provisions, forth-

with possessed himself of all the estates, &c. &c. The shock occasioned by so sudden and unexpected a turn of affairs finished to overwhelm the colonel's remains of reason; and his brother Theophilus at first heard the news with the most firm incredulity, exclaiming that the thing was utterly impossible. Soon finding, however, that the distressing intelligence was but too true, he resolved, in the first instance, it is said, to challenge the will as a genuine instrument, and afterwards determined to question its validity. But the winter of old age is not the season for enterprizes of such "pith and moment," and chilled in his mind the sense of wrong as well as the ardency of ambition. After the first impulsive feeling of amazement and indignation was over he gradually relinquished the idea of litigation, although to the latest moment of his life he reprobated the earl's duplicity, which lulled him and his brother into a false security, and looked upon lord Moira in no better light than the usurper of the rights of his family.

Colonel Hastings, being rendered quite incapable, by his unfortunate malady, of managing his domestic concerns, the burthen of that duty necessarily devolved on his wife, who acquitted herself with so much ability and prudence, as never will be erased from the memory of her children. Among the friends who offered their advice and assistance in providing for the sons, then rising to manhood, lord Moira exerted his influence, and procured Henry, the eldest, a commission in the 25th regiment, and afterwards had him promoted to a captaincy in the

3rd West India regiment, commanded by colonel Kepple. He proceeded to join that corps at Martinique, but the first breath of that climate was fatal to him. He was violently attacked by the yellow fever, and soon died, in all the horrors of that frightful disease, about the beginning of the year 1796. This melancholy event, added to her other sorrows, almost reduced Mrs. Hastings to the brink of the grave; but her cup of affliction was not yet full. Ferdinando, the second son, a fine promising youth, was soon after sent out, under the same inauspicious patronage, as captain in a regiment stationed in the same quarter. Not many weeks after his arrival in the island where his brother had found an early grave; he also, on the 22nd of February, 1801, fell a victim to that terrible distemper peculiar to the climate. Francis, the first born, had died in his sixth year, so that there now remained to the heart-broken, and worse than widowed mother, only one son, Hans Francis, the youngest, whom Providence has preserved, amidst the perils of warfare and the deep, to revive the lost dignities of his illustrious House.

In 1800, colonel Hastings's malady increased. For the convenience of his medical attendant, as well as the benefit of his native air, and as early scenes and connexions tended to soothe his mind, he had lived a considerable time among his friends in the country, while Mrs. Hastings, with her two daughters, resided for the most part in London. In this state of things, his affairs had naturally fallen into decay. The premature death of his third son, Ferdinando,

was soon followed by his own. He expired on the 6th day of February, 1802, at the house of a relative in Belton; and his remains were interred in the centre aisle of the church of that village.

[As intimately connected with the preceding narrative, and as exceedingly lively and dramatic in itself, we add another extract from the same work, containing Mr. Bell's account of a singular rencontre by himself with an individual from whom he, most unexpectedly, obtained much information relative to the family of his noble client, whose rights to the title he was then employed in investigating. Mr. B. was travelling on the outside of a stage coach from Loughborough, whither he had been for the purpose of collecting what intelligence he could respecting the business in question, when he overtook an old woman in a market cart. The result of this apparently indifferent circumstance, shall be given in Mr. B.'s own words.]

“When I came near enough to have a perfect view of the old woman's countenance, there was something written in every line of it, which inspired respect, and impressed a belief that the mind indexed there had more than ordinary claims to attention. I soon perceived that her little vehicle contained a spare chair, which, through I know not what whimsical impulse, I as instantly longed to occupy. In fact, I believe the same Providence whose decrees embrace the fall of a sparrow, will be often found at the bottom of our apparent whims. I addressed her with the familiar epithet of “dear mother,” stating

that the heat of the sun, added to the agitation of the coach, had put me in a fever, which I feared would increase if she would not have the charity to bestow the vacant seat on her son, at least so long as our journey might lay the same way. Upon this, the old lady turning up her spectacles to the required altitude, gazed at me with earnest surprise; and I, on my part, to prepossess her as much as possible, mustered up every spark of good humour in my composition, and looked so kindly on her little black bob-tailed poney, so wistfully on the blue stuff bottom of the empty chair, which seemed to ride so much at its ease beside her, that she could not withstand the appeal; and “my dear son,” said she, pointing expressively to the seat, “this old chair is perfectly at your service, if you will deign to accept its support, and I wish, with all my heart, the change you seem to contemplate may be of use to you.” Quite unprepared for so gentle an address, I repeated the words used by my sentimental countryman under circumstances not very dissimilar,—“Life is too short to be long about the forms of it,”—and so, instead of balancing about the invitation till the superior celerity of our machine whirled me out of reach, I leaped at once from my elevated situation into the cart with so much eagerness, that it was a mercy my feet did not find their way through its bottom. The materials, however, were sufficiently solid to resist the shock, but, not being quite accustomed to such abrupt visitations, had the unceremoniousness, by an elastic jerk or re-action, to project my person over the sides

of the vehicle, fairly spilling me on the pavement. I hastily scrambled to my legs again, shaking the dust from my shoulders, and made a shift to re-ascend the cart, tendering the best apologies I could for my intrusion, as well as awkwardness, to its fair possessor, who, on her part, offered as many in return, blaming herself for not having kept a tighter hold of old Dobbin's reins. Thus this lady of the cart and I commenced an acquaintance, which I shall always remember with gratitude and pleasure. After she had drummed the dust from my coat, which she did so effectually as almost to reduce my aching shoulders to a paste, we entered into some desultory conversation on the weather, the crops, and the state of the poor. From these standard popular topics I led her insensibly to the families of distinction, residing along our route; and then, as if struck by some sudden recollection, asked her, was not Leicester the county long famous for having given birth to the illustrious House of Hastings, earls of Huntingdon? Scarce had I pronounced the name, ere I found it was a chord I might touch till doomsday without tiring the patience of my companion. "Good lord! sir," she exclaimed, "you are entirely too young to remember any thing of that great, but unfortunate family."—"Unfortunate! good mother; I never heard of any misfortune, which attached particularly to the House of Hastings."—"Bless you! may be not; but I hear you London folk, excuse me, have got very little heart, and some say, none at all."—"Nay, do not believe that; but tell me what

were the misfortunes to which you allude, or, if the recital be painful, or that you are not at liberty to relate the story to a stranger, why let us turn the conversation to some more agreeable subject." This, it may be readily imagined, was very far from my wishes, and I trembled lest, by her compliance, I should lose the opportunity of hearing that which I might be said literally to have burned to know. My apprehensions, however, were soon removed when she replied, "No, no, sir, not so. Though it may, indeed, give me some pain to revive the recollection of those matters, yet it will also afford my memory a kind of melancholy pleasure to talk over the virtues of the dead. Lord love you, sir, I knew the family you mention for fifty years past, and that too most intimately, with all their concerns, and a frightful desolation now hovers round the towers that sheltered them through many a century of honour and magnificence." Here, by an involuntary impulse of curiosity, I drew closer to my interesting historian, who pursued her narrative nearly in the following words—for I would not, through any fastidious notions about style, weaken the original tact, raciness, and *naïveté* of her manner. "You must know, sir, that some fifty years ago, I was considered by the country folks a very pretty girl. I don't say this out of vanity, but it may be necessary for you to know it, that you may better understand what is to follow. At the age of fourteen I was taken into the service of lady Ann Hastings, sister of my late lord's father, who, in less than two months after, consigned me over

to young lady Selina, her niece, and second daughter of the late countess Selina, that doating old methodist lady, whom God forgive for throwing away her fortune on such blood-suckers, and leaving those entitled to it by the laws of nature and relationship quite penniless, as one may say. But let me proceed straight forward. I was caressed by my sweet young lady, whom I constantly attended as her own maid, and I had every reason to bless my good fortune in having got so good a mistress. Why, Lord love you, sir, her ladyship thought as much of having me tidy and nice and servant-like, as I, on my part, was anxious to please her in all things. We soon grew so fond of each other, that if her finger but ached, I would cry my eyes out; and if I chanced to be sick, she would sit by me for hours together. Well, I was as happy sure as the day was long, as Donnington Park, at that time, was one of the most delightful places in the world, there being constant company, numerous strange servants, and continual bustle. Before my lady was twenty, she was reckoned one of the finest creatures in the whole county, and many great lords, I am sure, would have been proud of her hand; but, my dear sir, there was other fish to fry. Some time before this, my late lord's father had brought to Donnington Park the late colonel George Hastings, then a boy; and as it may be you never heard of him, I will tell you who he was. His father was a Mr. Henry Hastings, of a place not many miles off, called Lutterworth, who previous to his death, and in his old age, was called lord Hastings; I'll tell you why,

by-and-by. I have heard say that this Mr. Harry was left an orphan, when he was only fourteen years old, and that his guardians and executors, appointed by his father's will, robbed him of almost all he was worth, and a good fortune he was left too, they say. These rogues ran off out of the country, and the colonel's father being then too young to protect his rights, was left, I may say, desolate, until the late earl's father, hearing of the business, set affairs to rights as well as he could, and gave, I believe, 1,000*l.* to his wronged kinsman. It is at least certain that, within my own memory, he lived very happily at his house in Lutterworth, and latterly took very well with being called lord Hastings, which was no empty title you may rely on it, his children having as much right to it as I have to the gown on my back, as you will be convinced of presently. Well, as the earl thought his boys would be better under his lordship's own eye, he sent the eldest, who was late the rector of Great and Little Leke, to sir George Wheeler, his brother-in-law, to be educated by him, which he was; and the colonel, his brother, was brought to the Park altogether. Lord knows, he was as wild and frolicsome as a mountain kid, but my lord did not think him the worse for that; and as he was very handsome and obliging, he became a great favourite with all the family, particularly the women part of it. I must acknowledge, sir, though I can now join the laugh against my own girlish folly and presumption, I then loved him very dearly, and many a sorrowful night has his image cost me. He knew I liked him, and he often

said, through the goodness of his nature, that if he were rich and independent, and I of a higher family, he would make me his wife, but as it was, there could be no hopes. So having told me his mind like a man of truth, I endeavoured to reason myself out of my folly, though I liked him better than ever. He always after treated me as a kind of sister, which, I remember, was a great consolation to me. (Here she reverted to the story of the carpenter, and the burning of his tools, which it is not necessary to repeat.) After some time, my lord got the colonel his first commission; and the late earl, then quite young, was very much attached to him, as they were, I may say, educated together. They were constant companions in every amusement, though no two could be more unlike in their persons, the young lord being—but, Lord rest him! he is dead. I will only say, he was a perfect foil for the young soldier, who was, as Mr. Dawson the steward used to say, a lad of great promise. The family becoming every day more fond of him, at length, after the old earl had been a good while dead, it entered into the head of the countess dowager to whose sermonizing the colonel used to listen with great patience, while thinking of something else, to unite my dear lady Selina and him in marriage. I well remember the hurly-burly there was on that occasion. Dawson was sent, together with a lawyer, whose name, I believe, was Blunt, to hunt after the colonel's pedigree through the country." (Here I became interested to a great degree, and begged to know, whether she recollected the names of

the places, to which they had recourse for the desired information, to which she replied in the affirmative, and mentioned among others, Humberston, Welford, and St. Mary's in Leicester, places, where I afterwards found information absolutely essential to my success, although I should never have dreamed of recurring to such a quarter, but for my fair Comnina* of the cart.) "Well," resumed my honest chronicler, "every thing turned up to the very height of the family's wishes; and on the return of Mr. Dawson to the park, he declared the late old reverend Theophilus, the colonel's brother, to be heir to the title of Huntingdon, in case any thing should happen to the then earl, and after him, if he failed children, the colonel next heir of course. There was great joy in the house the day Dawson returned. It was on a May evening, I well remember, and my dear young lady and I were sitting over a piece of work in her boudoir, when a servant came to tell her that the lawyer and Mr. Dawson were below with her mother, the countess. The colour suddenly fled from her cheeks, and, if I had not assisted her, I think she would have fainted. All this time I was quite ignorant of the matter in agitation, but knew it time enough to my great sorrow. The news soon spread that the colonel and his brother were the next male heirs to the title, and that

* Anna Comnina was daughter of the emperor Alexius Comninus; and wrote a history of the life of her father, in which she attacked the spiritual sovereignty of the Roman pontiff.

the former was to be married to my young lady immediately. Lord! Lord! the folly of young people. It vexes me yet, when I reflect what a presumptuous fool I was. Mr. George still ran in my head, and, somehow or other, I used to indulge myself in the ridiculous hope of being one day his wife. But where were all my castles of smoke and paper, think you, when I heard this news? I was like to go distracted, and I ran to the Clift Wood, where I remained crying till nine o'clock that night. I remember I said my prayers before I returned to the house; and seeing every one in joy, I suspected I should not be much minded; so I slipped off to bed and there reasoned with myself. Well, thank God, and my parents, who, though humble, brought me up well, I saw my weakness, and that, by exposing it, I would lose the kindest of mistresses, might offend my friend the colonel, and get laughed at and despised by every body into the bargain. So I kept up wonderfully well considering, pretended to be delighted, and saw clearly that lady Selina loved her intended husband full as well as I could do for my life. Nothing now was heard of but rejoicings. Lady Anne, who was then an old maid, became quite obliging and interested in the match, and Miss Wheeler, her friend, as unbearable on the other hand, lest she should lose her ladyship's fortune, which she at that time expected to inherit. But none were more highly delighted with all this, than the tenantry; and, between ourselves, if they had not expressed themselves so warmly on this and

other occasions afterwards, I am pretty sure, from what has since happened, the colonel would have been a gainer by it. Well, sir, if you could have seen the colonel at this time, he seemed a very king, a prince of gentlemen! Adored by all the gentry, and by all the people within twenty miles round; sure of a fine fortune; about to be married to the sweetest young lady in England, and with a fair chance, from the plainness of my lord's person, of having the title and all at a future day; though, to say the truth, I believe he never troubled himself about thinking of this last matter. Whether he suspected what I felt I know not. His civilities towards me were the same, and he one day promised, if I felt so inclined, that I should, after his marriage, continue with my mistress, for which I was very thankful, having then in a great measure recovered my senses. But, alas! sir, as the Scripture says, there is nothing certain in this life. It was about the middle of May, the year I do not remember, but it is full fifty years ago, that the marriage was fixed to take place between the colonel and my lady. He was in the full bloom of life: she was just old enough to conduct herself steadily; and I was not more than fifteen odd, if so much. It was at this moment that an awful intervention of Providence put an end to all our joys in a moment. I remember the fatal day. It was dark, with the appearance of a thunder storm, but unusually sultry; and the colonel went out with the gamekeeper to shoot, whether rails or conies it does not signify. My lord was not at home, and my lady, the intended

bride, was engaged all the day sorting her dresses, in which I was assisting. About five o'clock the colonel returned, and he had not been five minutes in the house when the storm began. He was congratulating himself on his good fortune, when he perceived my lady suddenly growing pale and sick. I ran for salts and Hungary water to her boudoir. On my return I found the colonel supporting her in his arms. She was trying to speak. I called for help and endeavoured to unlace her, but before any assistance could arrive she expired. . . . I have no power," continued my narrator, after a pause of grief and her eyes swimming in tears, "to describe the scene that followed. The deepest distress, that perhaps ever visited human hearts, was felt by the family at Donnington Park; and when my darling mistress was laid in the grave, every member of it might have been said to be buried with her. As for the colonel, his feelings were all stunned. He knew nobody. Even I could scarce prevail on him to eat the smallest morsel of food. He wasted to a very shadow; and I fear his health and reason sustained a shock at that time, which helped to increase his mental disease on a future day. But, sir, we have not much further to travel together, so I must be brief. Time wore on. Lord Rawdon, the present marquis of Hastings, was then a nice boy, and the earl, his uncle, grew every day more fond of him. The colonel used to carry him about every where, teach him the use of the sword, and a thousand little matters. Indeed he was, as one may say, his principal tutor,

until it became necessary to put him under more proper government. He was a very generous child, and if you flattered him would do any thing, but was not so easy to manage in any other way. The colonel resided chiefly at the park, but sometimes at Belton, when he was not engaged with his officer business. However, my lord having gone to visit foreign parts, and I having, by the advice of my friends, married a very prudent and industrious young man, who has always been the best of husbands to me, I of course removed, and the distance prevented me from knowing much more of the colonel's affairs, except when he came into our neighbourhood. He would then do me the honour of calling at my cottage, put me in mind of past times, and treat me with the greatest kindness. At last he married a very beautiful young lady, as I have heard, and had four sons, who, sorry I am to say it, are all dead, and, except the eldest, all came to an unlucky end. Master Frank was the eldest, but he died at Grantham in his sixth year; Master Ferdy, or Ferdinando, and his elder brother Henry, for whom the duchess of Cumberland stood god-mother, were sent out officers to the West Indies, and both died there of the yellow fever. The fourth and youngest son, and, as I have been told, one of the finest young men of the family, was drowned about three years ago in the Cove of Cork, on the Irish coast, a circumstance which gave great concern to many well-wishers of his father here, and no small joy to those, who have had the iniquity to chouse him and his out of their just inheritance." Here

the old lady, in conclusion, gave vent to her feelings with much bitterness, and entered upon topics which I feel it proper to suppress for the present, reserving the remainder of her disclosures for a future occasion. After I had patiently heard her out, I, in my turn, informed her that the person, according to her account, supposed to have been drowned in the Cove of Cork was still alive and happy, and that it was by no means improbable she would soon see that son of her *quondam* lover, the colonel, in possession of at least the honours of his family. At this news her joy was so excessive, that she fairly hugged me with rapture,—a sort of compliment which perhaps I should have received with more ardour and gratitude had she been fifty years younger. We had now arrived opposite the Three Cranes Inn in Leicester, where my friend Jameson, somewhat anxiously, waited dinner for me, and I descended from my rustic vehicle to his no small entertainment and surprise. I pressingly invited the fair charioteer to partake of some refreshment, which she politely declined, on the plea of being expected to dinner by one of her daughters. We thereupon most cordially shook hands, and parted, not without my having obtained her fervent blessings and prayers for my success.

Mr. Jameson was highly amused with the history of an adventure, which fortunately afforded us many valuable hints towards the object in view. That no time might be lost in improving such hints, and as it occurred to me that the old lady would naturally relate in her family what had

passed, and hence, perhaps, undue means be resorted to from some inimical quarter for the removal, if not destruction, of certain important records, to which her narrative bore relation, I ordered a chaise immediately after dinner, and, in less than two hours from the time I parted with her, set out again in quest of the treasures, of whose existence she had apprized me. My first visit was to a church not many miles from Leicester. On my arrival, I inquired for the residence of the parish clerk, and found the poor fellow in a miserable hovel, not a whit superior to the mud edifices of my mountaineer countrymen. I requested him to produce the parish register, but he told me I could not then see it, “as how the parson lived seven miles off, and never came but early of a Sunday morning, when he read prayers, and was off again in a trice.” Finding it impossible to procure a glimpse at the register for that time, I next begged the favour of this canonical echo’s company as far as the church, that I might inspect two or three tombstones, which I understood were placed in the chancel. Amen gazed on me with a face of deprecation and amazement; and, after a pause to give distinctness to his response, asked, “Pray, zir, may I ax what countryman you be? I am sure you beant of our parish, or you would not be in such a hurry to go to church this time o’ the night.”—“And why not, my friend?” demanded I. “Why,” exclaimed he, “no one in his senses would venture, that’s all; though I believe there’s nothing in the stories I have heard since I was a boy.”—“Stories! what stories do you mean?”—“Why,

as how you see, one Hastings, a warrior in Holiver Cromwell's time, canters about a marble horse of his over the grave-stones at night. He was sequestrified by the parliament in those times, which, they say, sticks in his gizzard to this hour. Lord bless us! Sam Caxton told me, not five days ago, that he rattled one of the tomb-stones you mention into ten thousand pieces; howsomdever, that was no very hard matter to do, as it was of a slaty substance."—"Well, but did you examine this stone," said I, "in order to ascertain the truth?"—"Aye, that I did, and the fact was so, sure enough."—"Do you know who was buried beneath it?"—"No, not I; but my old father, who has been clerk here nearly sixty years, perhaps, can tell, that is, if he remembers any thing about it, which I much doubt, by reason that he is so old and deaf." This, thought I, would be esteemed a good specimen of Irish reasoning. I inquired where the old man lived, and again requested the clerk to accompany me; but this he declined till morning, at the same time offering me a sort of substitute for a lamp, and the keys, "if as how I wished to go a ghost-hunting alone." I asked him where the equestrian statue stood, of which he seemed so much in awe: but he informed me that it now existed only in the traditions of the country folks, the original having been long since tumbled down, and afterwards destroyed. Finding I could not prevail on him to attend me, I accepted the light and keys, and proceeded to the church. It stood at a considerable distance from my chaise, in which the driver, in the mean

time, had thought proper to fall asleep, leaving the vehicle to the discretion of his horses, who were quietly eating their corn. The rain fell plentifully; and it was not without some ingenuity that I succeeded in preserving the ewer full of kitchen-stuff, which served me for a lamp, from being extinguished. At last I entered the sacred walls, without any great fear of being encountered by the knight of the marble horse. The church is an old and rude building, with uncouth ornaments. at least so they then appeared by the dusky illumination afforded me. The floor was covered with matting, and therefore I passed on undisturbed by the reverberation of my own footsteps. I had no difficulty in tracing out the spot where the marble horse had shattered the tomb-stone, as reported; and I certainly did find that the damage alluded to had really been done, but when, or by what means or accident, I have never been able to discover. In the corner of the chancel I found a broom, and a small heap of rubbish, consisting of lime and fragments of stone, which, it occurred to me, might have constituted part of the tomb in its original state. To work therefore I went upon this probability, and, seating myself on a rush mat, I poked among the dust and rubbish, and collected together all the pieces that appeared to have composed the inscription. These formed a novel kind of puzzle, which cost me no small study to connect; and I do honestly believe it would have been easier to solve one of the cramest problems in Euclid than to re-arrange these *disjecta membra* in intelligible order. However, I at length

succeeded in taking the exact words inscribed on this "thing of shreds and patches," together with a sketch of the whole as a drawing, which fully answered my purpose. My faculties were so absorbed in this precious job, that the time passed without my attending to the lateness of the hour, or to the storm which grappled the roof and windows with such violence as might have set the bells a-ringing. I was roused from this lethargy at last by conceiving that I really did hear a bell toll. Somewhat startled at the imaginary summons, I hastily looked round, but all was dreary and dark, save the dimly luminous circle, of which my lamp formed the centre. Above my head hung some tattered armorial banners, which had been placed, more than a century before, over the graves of the illustrious dead, for whose posterity I came to seek justice. I gathered up my papers, closed my memorandum book, and was about to rise from the posture I was then in, which I remember was a kneeling one, when I experienced one of the most horrible sensations it has ever fallen to the lot of my nerves to encounter. I distinctly felt a warm living breath poured upon my cheek, and shaking my hair, which I suppose already "stood on end, like quills upon the fretful porcupine;" half petrified, I turned round, expecting to see nothing less than the knight of the marble charger, nodding down, in horrid complaisance, at me, another, but innocent, Don Juan; when lo! my eyes met the benevolent and inquisitive gaze, not of sheeted spectre, or life-assuming statue, but *bonâ-fide*

blood and bone, in their most honest and unalarming shape, an ass! This respectable animal, whose species is so often libelled by comparison with human stolidity, belonged to the clerk, and was grazing in the church-yard, when, invited by the light and the open door, he possibly promised himself the double pleasure of inspecting whatever might be going forward, and, at the same time, of finding a shelter for the night. The floor of the church being, as I before observed, covered with matting, he stole upon my lucubrations as softly as if, like king Lear's troop of horse, he had been "shod with felt." As my scanty allowance of light did not at first enable me to determine to what class of created things the donkey belonged, and as he declined answering a very respectful, and indeed, pious, interrogatory, put by me to that effect, I began to feel the prudence of decamping with all convenient speed out of such company, when raising the lamp, in furtherance of that purpose, I caught a full view of his outline, and convincing longitude of ear. Finding that the intruder came in such an unquestionable shape, I resolved he should pay for his peeping, and, brandishing the aforesaid broomstick, I forthwith laid it on his "leathern coat," with such an unsparing hand, that at length the "patient endurance," for which that family are so famed, gave way, and, Parthian-like, he discharged a volley of heels with so much force at my breast, that, had he succeeded in making his intentions tell, I, in all probability, should now be in "the tomb of all the Capulets," and the whole adventure lost in oblivion, to the

great disappointment of posterity. However, I was not destined to fall by such inglorious weapons. The blow fell short of the vital mark, and expended its vengeance on my lamp, the remains of which it dashed full in my face, thus putting out my light and my eyes both together, and leaving me to grope for egress in such manner as it might please God. Under these circumstances, I stood on no further ceremony, but scampered off, well wet, worse greased, and,

perhaps, not a little frightened. I was rejoiced again to see my old friend the clerk, who, all this time, had been snugly asleep, and got up in his shirt to receive the keys. After assuring him that I had supped with the knight of the marble horse, and had been introduced to Beelzebub and suite, I wished him and his ass at the devil, thrust a few shillings into his assenting palm, and hurried to my vehicle, which I re-entered with no small satisfaction.

HISTORY, MANNERS, CUSTOMS, &c.

THE FUNERAL OF WILLIAM THE CONQUEROR.

(*From Turner's Tour in Nor-
mandy.*)

THE king's decease was the signal for general consternation throughout the metropolis or Normandy. The citizens, panic struck, ran to and fro, as if intoxicated, or as if the town were upon the point of being taken by assault. Each asked counsel of his neighbour, and each anxiously turned his thoughts to the concealing of his property. When the alarm had in some measure subsided, the monks and clergy made a solemn procession to the abbey of St. George, where they offered their prayers for the repose of the soul of the departed duke; and archbishop William commanded that the body should be carried to Caen, to be interred in the church of St. Stephen, which William had founded. But the lifeless king was now deserted by all who had participated in his munificence and bounty. Every one of his brethren and relations had left him; nor was there even a servant to be found to perform the last offices to his departed lord. The care of the obsequies was finally undertaken by Herluin, a knight of that district, who, moved by the love of God and the honour of his nation, provided at his own expense, em-

balmers, and bearers, and a hearse, and conveyed the corpse to the Seine, whence it was carried by land and water to the place of its destination.

Upon the arrival of the funeral train at Caen, it was met by Gislebert, bishop of Evreux, then abbot of St. Stephen's, at the head of his monks, attended with a numerous throng of clergy and laity; but scarcely had the bier been brought within the gates, when the report was spread that a dreadful fire had broken out in another part of the town, and the duke's remains were a second time deserted. The monks alone remained; and, fearful and irresolute, they bore their founder "with candle, with book, and with knell," to his last home. Ordericus Vitalis enumerates the principal prelates and barons assembled upon this occasion; but he makes no mention of the Conqueror's son, Henry, who, according to William of Jumieges, was the only one of the family that attended, and was also the only one worthy of succeeding to such a father.—Mass had now been performed, and the body was about to be committed to the ground, "ashes to ashes, dust to dust," when, previously to this closing part of the ceremony, Gislebert mounted the pulpit, and delivered an oration in honour of the deceased.—He praised his

valour, which had so widely extended the limits of the Norman dominion; his ability, which had elevated the nation to the highest pitch of glory; his equity in the administration of justice; his firmness in correcting abuses; and his liberality towards the monks and clergy; then, finally, addressing the people, he besought them to intercede with the Almighty for the soul of their prince, and to pardon whatsoever transgression he might have been guilty of towards any of them.—At this moment, one Asselin, an obscure individual, starting from the crowd, exclaimed with a loud voice, “the ground upon which you are standing, was the site of my father’s dwelling. This man, for whom you ask our prayers, took it by force from my parent; by violence he seized, by violence he retained it; and, contrary to all law and justice, he built upon it this church, where we are assembled. Publicly, therefore, in the sight of God and man, do I claim my inheritance, and protest against the body of the plunderer being covered with my turf.”—The appeal was attended with instant effect; bishops and nobles united in their entreaties to Asselin; they admitted the justice of his claim; they pacified him; they paid him sixty shillings on the spot by way of recompence for the place of sepulture; and, finally, they satisfied him for the rest of the land.

But the remarkable incidents doomed to attend upon this burial, were not yet at an end; for at the time when they were laying the corpse in the sarcophagus, and were bending it with some force, which they were compelled to do, in consequence of the coffin having been made too

short, the body, which was extremely corpulent, burst, and so intolerable a stench issued from the grave, that all the perfumes which arose from all the censers of the priests and acolytes, were of no avail; and the rites were concluded in haste, and the assembly, struck with horror, returned to their homes.

The latter part of this story accords but ill with what De Bourgueville relates. We learn from this author, that four hundred and thirty years subsequent to the death of the Conqueror, a Roman cardinal, attended by an archbishop and bishop, visited the town of Caen, and that his eminence having expressed a wish to see the body of the duke, the monks yielded to his curiosity, and the tomb was opened, and the corpse discovered in so perfect a state, that the cardinal caused a portrait to be taken from the lifeless features.—It is not worth while now to inquire into the truth of this story, or the fidelity of the resemblance. The painting has disappeared in the course of time: it hung for a while against the walls of the church, opposite to the monument; but it was stolen during the tumults caused by the Huguenots, and was broken into two pieces, in which state De Bourgueville saw it a few years afterwards, in the hands of a Calvinist, one Peter Hodé, the gaoler at Caen, who used it in the double capacity of a table and a door.—The worthy magistrate states, that he kept the picture, “because the abbey-church was demolished.”

He was himself present at the second violation of the royal tomb, in 1572; and he gives a

piteous account of the transaction. The monument raised to the memory of the Conqueror, by his son, William Rufus, under the superintendence of Lanfranc, was a production of much costly and elaborate workmanship: the shrine, which was placed upon the mausoleum, glittered with gold and silver and precious stones. To complete the whole, the effigy of the king had been added to the tomb, at some period subsequent to its original erection.—A monument like this naturally excited the rapacity of a lawless banditti, unrestrained by civil or military force, and inveterate against every thing that might be regarded as connected with the Catholic worship.—The Calvinists were masters of Caen, and, incited by the information of what had taken place at Rouen, they resolved to repeat the same outrages. Under the specious pretext of abolishing idolatrous worship, they pillaged and ransacked every church and monastery: they broke the painted windows and organs, destroyed the images, stole the ecclesiastical ornaments, sold the shrines, committed pulpits, chests, books, and whatever was combustible, to the fire; and finally, after having wreaked their vengeance upon every thing that could be made the object of it, they went boldly to the town-hall to demand the wages for their labours.—In the course of these outrages the tomb of the Conqueror at one abbey, and that of Matilda at the other, were demolished. And this was not enough; but a few days afterwards, the same band returned, allured by the hopes of farther plunder. It was customary in ancient times to deposit treasures

of various kinds in the tombs of sovereigns, as if the feelings of the living passed into the next stage of existence:—

“ ————— quæ gratia currûm
 “ Armorumque fuit vivis, quæ cura
 nitentes
 “ Pascere equos, eadem sequitur tel-
 lure repostos.”

The bees that adorned the imperial mantle of Napoleon were found in the tomb of Childeric. A similar expectation excited the Huguenots, at Caen. They dug up the coffin: the hollow stone rung to the strokes of their daggers: the vibration proved that it was not filled by the corpse; and nothing more was wanted to seal its destruction.

De Bourgueville, who went to the spot and exerted his eloquence to check this last act of violence, witnessed the opening of the coffin. It contained the bones of the king, wrapped up in red taffety, and still in tolerable preservation; but nothing else. He collected them with care, and consigned them to one of the monks of the abbey, who kept them in his chamber, till the admiral de Châtillon entered Caen at the head of his mercenaries, on which occasion the whole abbey was plundered, the monks put to flight, and the bones lost. —“ Sad doings, these,” says De Bourgueville, “ *et bien peu réformez!*” He adds, that one of the thigh-bones was preserved by the viscount of Falaise, who was there with him, and begged it from the rioters; and that this bone was longer by four fingers’ breadth than that of a tall man. The bone thus preserved, was re-interred, after the cessation of the troubles: it is the same that is alluded to in the inscription,

which also informs us that a monument was raised over it in 1642, but was removed in 1742, it being then considered as an incumbrance in the choir.

With this detail I close my letter. The melancholy end of the Conqueror, the strange occurrences at his interment, the violation of his grave, the dispersion of his remains, and the demolition and final removal of his monument, are circumstances calculated to excite melancholy emotions in the mind of every one, whatever his condition in life. In all these events, the religious man traces the hand of retributive justice; the philosopher regards the nullity of sublunary grandeur; the historian finds matter for serious reflection; the poet for affecting narrative; the moralist for his tale; and the school-boy for his theme.—Ordericus Vitalis sums the whole up admirably. I should spoil his language were I to attempt to translate it; I give it you, therefore, in his own words:—"Non fictilem tragœdiam venundo, non loquaci comœdia cachinnantibus parasitis faveo: sed studiosis lectoribus varios eventus veraciter intimo. Inter prospera patuerunt adversa, ut terrerentur terrigenarum corda. Rex quondam potens et bellicosus, multisque populis per plures Provincias metuendus, in area jacuit nudus, et a suis, quos genuerat vel aluerat, destitutus. Ære alieno in funebri cultu indiguit, ope gregarii pro sandapila et vespillonibus conducendis eguit, qui tot hactenus et superfluis opibus nimis abundavit. Secus incendium a formidolosis vectus est ad Basilicam, liberoque solo, qui tot urbibus et oppidis et vicis principatus est, caruit ad

sepulturam. Arvina ventris ejus tot delectamentis enutrita cum dedecore patuit, et prudentes ac infrunitos, qualis sit gloria carnis, edocuit." *

HISTORY OF BAYEUX, AND AN ACCOUNT OF THE CELEBRATED BAYEUX TAPESTRY.

(From the same.)

Bayeux was the seat of an academy of the Druids. Ausonius expressly addresses Attius Patera Pather, one of the professors at Bordeaux, as being of the family of the priesthood of this district:—

"Doctor potentum rhetorum,
"Tu Bajocassis stirpe Druidarum
satus;"

And tradition to this hour preserves the remembrance of the spot that was hallowed by the celebration of their mystic rites. This spot, an eminence adjoining the city, has subsequently served for the site of a priory dedicated to St. Nicholas *de la chesnaye*, thus commemorating by the epithet, the oaks that formed the holy grove. Near it stood the famous temple of Mount Phœnus, which was flourishing in the beginning of the fourth century, and, according to Rivet, was considered one of the three most celebrated in Gaul. Belenus was the divinity principally worshipped in it; but, according to popular superstition, adoration was also paid to a golden calf, which was buried in the hill, and still remains entombed there. Even within the last fifty years, two labourers have lost their lives in a fruitless attempt to find this hidden treasure. Tombs, and urns, and human bones, are con-

* Hist. Normann. Script. p. 662.

stantly discovered; yet neither Druidic temples, nor pillars of stone, nor cromlechs or Celtic remains of any description exist, at least, at present, in the neighbourhood of Bayeux.

Roman relics, however, abound. The vases and statues dug up near this city, have afforded employment to the pen and the pencil of count Caylus, who, judging from the style of art, refers the greater part of them to the times of Julius and Augustus Cæsar. Medals of the earliest emperors have likewise frequently been detected among the foundations of the houses of the city; and even so recently as in the beginning of the present century, mutilated cippi, covered with Latin inscriptions, have been brought to light. These discoveries all tend to show the Roman origin of Bayeux, and two Roman causeways also join here; so that, notwithstanding the arguments of the abbé le Beuf, most antiquaries still believe that Bayeux was the city called by Ptolemy the *Næomagus Viducassium*.—The term *Viducasses* or *Biducasses* was in early ages changed to *Bajocasses*; and the city, following the custom that prevailed in Gaul, took the appellation of *Bajocæ*, or, as it was occasionally written, of *Baiæ* or *Bagiæ*. Its name in French has likewise been subject to alterations.—During the 12th and 13th centuries, it was *Baex* and *Bajeves*; in the 14th *Bajex*; in the 16th *Baieux*; and soon afterwards it settled into the present orthography.

Pursuing the history of Bayeux somewhat farther, we find this city in the *Notitia Galliæ* holding the first rank among the towns of the *Secunda Lugdunensis*.

During the Merovingian and Carolingian dynasties, its importance is proved by the mint which was established here. Golden coins, struck under the first race of French sovereigns, inscribed *HBAJOCAS*, and silver pieces, coined by Charles the Bald, with the legend *HBAJOCAS-CIVITAS*, are mentioned by Le Blanc. Bayeux was also in those times, one of the head-quarters of the high functionaries, entitled *Missi Dominici*, who were annually deputed by the monarchs, for the promulgation of their decrees and the administration of justice. Two other cities only in Neustria, Rouen and Lisieux, were distinguished with the same privilege.—Nor did Bayeux suffer any diminution of its honours, under the Norman Dukes: they regarded it as the second town of the duchy, and had a palace here, and frequently made it the seat of their *Aula Regia*.

The destruction of the Roman Bayeux is commonly ascribed, like that of the Roman Lisieux, to the Saxon invasion. No traces of the Viducassian capital are to be found in history, subsequently to the reign of Constantine; no medals, no inscriptions of a later period, have been dug up within its precincts. During the earliest incursions of the Saxons in Gaul, they seem to have made this immediate neighbourhood the seat of a permanent settlement. The Abbé Le Beuf places the district, known by the name of the *Otlingua Saxonia*, between Bayeux and Isigny; and Gregory of Tours, in his relation of the events that occurred towards the close of the 6th century, makes repeated mention of the *Saxones Bajocassini*, whom the early Norman historians style

Saisnes de Bayeux. Under the reign of Charlemagne, a fresh establishment of Saxons took place here. That emperor, after the bloody defeat of this valiant people, about the year 804, caused ten thousand men, with their wives and and children, to be delivered up to him as prisoners, and dispersed them in different parts of France. Some of the captives were colonized in Neustria; and, among the rest, Witikind, son of the brave chief of the same name, who had fought so nobly in defence of the liberty of his country, had lands assigned to him in the Bessin. Hence, names of Saxon origin commonly occur throughout the diocese of Bayeux; sometimes alone and undisguised, but more frequently in composition. Thus, in *Estelan*, you will have little difficulty in recognizing *East-land*: *Cape la Hogue* will readily suggest the idea of a lofty promontory; its appellation being derived from the German adjective, *hoch*, still written *hoog*, in Flemish: the Saxon word for the Almighty enters into the family names of *Argot*, *Turgot*, *Bagot*, *Bigot*, &c.; and, not to multiply examples, the quaking sands upon the sea-shore are to the present hour called *bougues*, an evident corruption of our own word *bogs*.

When, towards the middle of the same century, the Saxons were succeeded by the Normans, the country about Bayeux was one of the districts that suffered most from the new invaders. Two bishops of the see, Sulpitius and Baltfridus, were murdered by the barbarians; and Bayeux itself was pillaged and burned, notwithstanding the valiant resistance made by the governor, Be-

renger. This nobleman, who was count of the Bessin, was personally obnoxious to Rollo, for having refused him his daughter, the beautiful Poppea, in marriage. But, on the capture of the town, Poppea was taken prisoner, and compelled to share the conqueror's bed. Bayeux arose from its ruins under the auspices of Botho, a Norman chieftain, to whom Rollo was greatly attached, and who succeeded to the honours of Berenger. By him the town was rebuilt, and filled with a Norman population, the consequence of which was, according to Dudo of St. Quentin, that William Longa-Spatha, the successor of Rollo, who hated the French language, sent his son, duke Richard, to be educated at Bayeux, where Danish alone was spoken. And the example of the duke continued for some time to be imitated by his successors upon the throne; so that Bayeux became the academy for the children of the royal family, till they arrived at a sufficient age to be removed to the metropolis, there to be instructed in the art of government.

The dignity of count of the Bessin ceased in the reign of William the Conqueror, in consequence of a rebellion on the part of the barons, which had well nigh cost that sovereign his life. From that time, till the conquest of Normandy by the French, the nobleman, who presided over the Bessin, bore the title of the king's viscount; and, under this name, you will find him the first cited among the four viscounts of Lower Normandy, in the famous parliament of all the barons of this part of the duchy, convened at Caen by

Henry II, in 1152.—When Philip Augustus gained possession of Normandy, all similar appointments were re-modelled, and viscounts placed in every town; but their power was restricted to the mere administration of justice, the rest of their privileges being transferred to a new description of officers, who were then created, with the name of bailiffs. The bailiwicks assigned to these bore no reference to the ancient divisions of the duchy; but the territorial partition made at that time, has ever since been preserved, and Caen, which was honoured by Philip with a preference over Bayeux, continues to the present day to retain the pre-eminence.

After these troubles, Bayeux, enjoyed a temporary tranquillity; and, according to the celebrated historical tapestry and to the *Roman de Rou*, this city was selected for the place at which William the Conqueror, upon being nominated by Edward, as his successor to the crown of England, caused Harold to attend, and to do homage to him in the name of the nation. The oath was taken upon a missal covered with cloth of gold, in the presence of the prelates and grandes of the duchy; and the reliques of the saints were collected from all quarters to bear witness to the ceremony. Bayeux was also the spot in which Henry I. was detained prisoner by his eldest brother, and it suffered for this unfortunate distinction; for Henry had scarcely ascended the English throne, when, upon a shallow pretext, he advanced against the city, laid siege to it, and burned it to the ground; whether moved to this act of vengeance from hatred towards the seat of his

sufferings, or to satisfy the foreigners in his pay, whom the length of the siege had much irritated. He had promised these men the pillage of the city, and he kept his word; but the soldiers were not content with the plunder: they set fire to the town, and what had escaped their ravages, perished in the flames. In 1356, under the reign of Edward III., Bayeux experienced nearly the same fate from our countrymen; and in the following century it again suffered severely from their arms, till the decisive battle of Formigny, fought within ten miles of the city, compelled Henry VI. to withdraw from Normandy, carrying with him scarcely any other trophies of his former conquests, than a great collection of Norman charters, and, among the rest, those of Bayeux, which are to this hour preserved in the tower of London.

During the subsequent wars occasioned by the reformation, this town bore its share in the common sufferings of the north of France. The horrors experienced by other places on the occasion were even surpassed by the outrages that were committed at Bayeux; but it is impossible to enter into details which are equally revolting to decency and to humanity.

Of late years, Bayeux has been altogether an open town. The old castle, the last relic of its military character, a spacious fortress flanked by ten square towers, was demolished in 1773; and, as the poet of Bayeux has sung,*—

“ Gaulois, Romains, Saxons,

* Bayeux & ses Env. par M. De-launey.

“ Oppresseurs, opprimés, colliers, faisceaux, blasons,
 “ Tout dort. Du vieux château la taciturne enciente
 “ Expire. Par degrés j’ai vu sa gloire étiente.
 “ J’ai marché sur ses tours, erré dans ses fossés :
 “ Tels qu’un songe bientôt ils vont être effacés.”

And in truth they are so effectually *effaced*, that not a single vestige of the walls and towers can now be discovered.

Bayeux is situated in the midst of a fertile country, particularly rich in pasturage. The Aure, which washes its walls, is a small and insignificant streamlet, and though the city is within five miles of the sea, yet the river is quite useless for the purposes of commerce, as not a vessel can float in it. The present population of the town consists of about ten thousand inhabitants, and these have little other employment than lace-making.—Bayeux wears the appearance of decay: most of the houses are ordinary; and, though some of them are built of stone, by far the greater part are only of wood and plaster. In the midst, however, of these, rises the noble cathedral; but this I shall reserve for the subject of my next letter, concluding the present with a few remarks upon that matchless relic, which,

“ des siècles respecté,
 “ En peignant des héros honore la beauté.”

The very curious piece of historical needle-work, now generally known by the name of the Bayeux tapestry, was first brought into public notice in the early part of the last century, by Father Montfaucon and M. Lancelot, both of whom in their respective

publications, the *Monumens de la Monarchie Française*, and a paper inserted in the *Mémoires de l’Académie des Inscriptions*, have figured and described this celebrated specimen of ancient art. Montfaucon’s plates were afterwards republished by Ducarel, with the addition of a short dissertation and explanation, by an able antiquary of our own country, Smart Lethieullier.

These plates, however, in the original, and still more in the copies, were miserably incorrect, and calculated not to inform, but to mislead the inquirer. When therefore the late war was concluded and France became again accessible to an Englishman, our Society of Antiquaries, justly considering the tapestry as being at least equally connected with English as with French history, and regarding it as a matter of national importance, that so curious a document should be made known by the most faithful representation, employed an artist, fitted above all others for the purpose, by his knowledge of history and his abilities as a draughtsman, to prepare an exact fac-simile of the whole. Under the auspices of the Society, Mr. C. A. Stothard undertook the task; and he has executed it in the course of two successive visits with the greatest accuracy and skill. The engravings from his drawings we may hope shortly to see; meanwhile, to give you some idea of the original, I enclose a sketch which has no other merit than that of being a faithful transcript. It is reduced one half from a tracing made from the tapestry itself. By referring to Montfaucon, you will find the figure it represents under the

fifty-ninth inscription in the original, where "a knight, with a private banner, issues to mount a led horse." His beardless countenance denotes him a Norman; and the mail covering to his legs equally proves him to be one of the most distinguished characters.

Within the few last years this tapestry has been the subject of three interesting papers, read before the Society of Antiquaries. The first and most important, from the pen of the Abbé de la Rue, has for its object the refutation of the opinions of Montfaucon and Lancelot, who, following the commonly received tradition, refer the tapestry to the time of the Conquest, and represent it as the work of queen Matilda and her attendant damsels. The Abbé's principal arguments are derived from the silence of contemporary authors, and especially of Wace, who was himself a canon of Bayeux;—from its being unnoticed in any charters or deeds of gift connected with the cathedral;—from the improbability that so large a roll of such perishable materials would have escaped destruction when the cathedral was burnt in 1106;—from the unfinished state of the story;—from its containing some Saxon names unknown to the Normans;—and from representations taken from the fables of Æsop being worked on the borders, whereas the northern parts of Europe were not made acquainted with these fables, till the translation of a portion of them by Henry I., who thence obtained his surname of Beauclerk.—These and other considerations, have led the learned Abbé to coincide in opinion with

lord Littleton and Mr. Hume, that the tapestry is the production of the empress Maud, and that it was in reality wrought by natives of our own island, whose inhabitants were at that time so famous for labours of this description, that the common mode of expressing a piece of embroidery, was by calling it *an English work*.

The Abbé shortly afterwards found an opponent in another member of the society, Mr. Hudson Gurney, who, without following his predecessor through the line of his arguments, contented himself with briefly stating the three following reasons for ascribing the tapestry to Matilda, wife to the Conqueror. *First*, that in the many buildings therein portrayed, there is not the least appearance of a pointed arch, though much pointed work is found in the ornaments of the running border; whilst, on the contrary, the features of Norman architecture, the square buttress, flat to the walls, and the square tower surmounted by, or rather ending in, a low pinnacle, are therein frequently repeated.—*Secondly*, that all the knights are in ring armour, many of their shields charged with a species of cross and five dots, and some with dragons, but none with any thing of the nature of armorial bearings, which, in a lower age, there would have been; and that all wear a triangular sort of conical helmet, with a nasal, when represented armed. And, *Thirdly*, that the Norman banner is, invariably, *Argent, a Cross, Or, in a Bordure Azure*; and that this is repeated over and over again, as it is in the war against Conan, as well as at Pevensey and at

Hastings; but there is neither hint nor trace of the later invention of the Norman leopards.—Mr. Gurney's arguments are ingenious, but they are not, I fear, likely to be considered conclusive: he however, has been particularly successful in another observation, that all writers, who had previously treated of the Bayeux tapestry, had called it a monument of the Conquest of England; following, therein, M. Lancelot, and speaking of it as an unfinished work, whereas it is in fact an apologetical history of the claims of William to the crown of England, and of the breach of faith, and fall of Harold, in a perfect and finished action.—With this explanation before us, aided by the short indication that is given of the subjects of the seventy-two compartments of the tapestry, a new light is thrown upon the story.

The third memoir is from the pen of Mr. Amyot, and concludes with an able metrical translation from Wace. It is confined almost exclusively to the discussion of the single historical fact, how far Harold was really sent by the Confessor to offer the succession to William; but this point, however interesting in itself, is unconnected with my present object: it is sufficient for me to show you the various sources from which you may derive information upon the subject.

Supposing the Bayeux tapestry to be really from the hands of the queen, or the empress (and that it was so, appears to me proved by internal evidence), it is rather extraordinary that the earliest notice which is to be found of a piece of workmanship,

so interesting from its author and its subjects, should be contained in an inventory of the precious effects deposited in the treasury of the church, dated 1476. It is also remarkable that this inventory, in mentioning such an article, should call it simply a very long piece of cloth, embroidered with figures and writing, representing the conquest of England, without any reference to the royal artist or the donor.

Observations of this nature will suggest themselves to every one, and the arguments urged by the Abbé de la Rue are very strong; and yet I confess that my own feelings always inclined to the side of those who assign the highest antiquity to the tapestry. I think so the more since I have seen it. No one appears so likely to have undertaken such a task as the female most nearly connected with the principal personage concerned in it, and especially if we consider what the character of this female was: the details which it contains are so minute, that they could scarcely have been known, except at the time when they took place; the letters agree in form with those upon Matilda's tomb; and the manners and customs of the age are also preserved.—Mr. Stothard, who is of the same opinion as to the date of the tapestry, very justly observes, that the last of these circumstances can scarcely be sufficiently insisted upon; for that, "it was the invariable practice with artists in every country, excepting Italy, during the middle ages, whatever subject they took in hand, to represent it according to the costume of their own times."

Till the revolution, the tapestry was always kept in the cathedral, in a chapel on the south side, dedicated to Thomas à Becket, and was exposed to public view only once a year, during the octave of the feast of St. John, on which occasion it was hung up in the nave of the church, which it completely surrounded. From the time thus selected for the display of it, the tapestry acquired the name of *le toile de Saint Jean*; and it is to the present day commonly so called in the city. During the most stormy part of the revolution, it was secreted; but it was brought to Paris when the fury of vandalism had subsided. And, when the first consul was preparing for the invasion of England, this ancient trophy of the subjugation of the British nation was proudly exhibited to the gaze of the Parisians, who saw another conqueror in Napoleon Buonaparté; and many well-sounding effusions, in prose and verse, appeared, in which the laurels of duke William were transferred, by anticipation, to the brows of the child and champion of Jacobinism. After this display, Buonaparte returned the tapestry to the municipality, accompanied by a letter, in which he thanked them for the care they had taken of so precious a relic. From that period to the present, it has remained in the residence appropriated to the mayor, the former episcopal palace; and here we saw it.

It is a piece of brownish linen cloth, about two hundred and twelve feet long, and eighteen inches wide, French measure. The figures are worked with worsted of different colours, but

principally light red, blue, and yellow. The historical series is included between borders composed of animals, &c. The colours are faded, but not so much so as might have been expected. The figures exhibit a regular line of events, commencing with Edward the Confessor seated upon his throne, in the act of dispatching Harold to the court of the Norman duke, and continued through Harold's journey, his capture by the Comte de Ponthieu, his interview with William, the death of Edward, the usurpation of the British throne by Harold, the Norman invasion, the battle of Hastings, and Harold's death. These various events are distributed into seventy-two compartments, each of them designated by an inscription in Latin. Ducarel justly compares the style of the execution to that of a girl's sampler. The figures are covered with work, except on their faces, which are merely in outline. In point of drawing, they are superior to the contemporary sculpture at St. George's and elsewhere; and the performance is not deficient in energy. The colours are distributed rather fancifully: thus the fore and off legs of the horses are varied. It is hardly necessary to observe that perspective is wholly disregarded and that no attempt is made to express light and shadow.

Great attention, however, is paid to costume; and more individuality of character has been preserved than could have been expected, considering the rude style of the workmanship. The Saxons are represented with long mustachios: the Normans have their upper lip shaven, and retain little more hair upon their heads

than a single lock in front. Historians relate how the English spies reported the invading army to be wholly composed of ecclesiastics; and this tapestry affords a graphical illustration of the chroniclers' text. Not the least remarkable feature of the tapestry, in point of costume, lies in the armour, which, in some instances, is formed of interlaced rings; in others, of square compartments; and in others, of lozenges. Those who contend for the antiquity of Duke William's equestrian statue at Caen, may find a confirmation of their opinions in the shape of the saddles assigned to the figures of the Bayeux tapestry; and equally so in their cloaks, and their pendant braided tresses.

The tapestry is coiled round a cylinder, which is turned by a winch and wheel; and it is rolled and unrolled with so little attention, that if it continues under such management as the present, it will be wholly ruined in the course of half a century. It is injured at the beginning; towards the end it becomes very ragged, and several of the figures have completely disappeared. The worsted is unravelling too in many of the intermediate portions. As yet, however, it is still in good preservation, considering its great age; though, as I have just observed, it will not long continue so. The bishop and chapter have lately applied to government, requesting that the tapestry may be restored to the church. I hope their application will be successful.

THE INSURRECTION IN THE TYROL, AND THE CAPTURE OF INNSBRUCK BY THE PEASantry.

(*From Memoirs of the Life of Andrew Hofer.*)

“The night of the 8th of April, (1809), was fixed for the event on which depended the destiny of the Tyrol.

* * * * *

At three o'clock in the morning the advanced guard, under the command of lieutenant colonel Goldlin of the chasseurs, was in motion. Chastelar and Hormayr then harangued their followers, and encouraged the ardour and eagerness with which they seemed to prepare for their duties; and in a few hours, to the great joy of the Tyrolese, the thunder of distant guns and the tumultuous din of alarm bells resounded through the vallies.

In the mean time, Chastelar with his division advanced up the Drauthal, and F. M. Jellachich, who was in Salzburgh, commanded lieutenant colonel baron Taxis to advance from Oberpinzgau and Zillerthal up the Innthal to Innsbruck, with a detachment of chasseurs, and of the O'Reilly light horse, in order to join Chastelar over the mountains. At break of day, innumerable fires were discovered on the heights, signals to the people that the work of deliverance was begun—they were in a moment understood, and the whole country was in a state of insurrection from one end to the other.

The Bavarian troops overcome with astonishment at the suddenness of the event, knew not which way to turn: every thing was in a state of hurry and tumult. A

column of French troops, three thousand strong, who were on their march from Mantua to Augsburgh, were taken by surprise and panic struck, and after a short, but determined resistance, were entirely defeated by the peasants, and captured, together with all their colours, eagles and guns.

Hofer and Teimer were in the mean time in the valley of Passeyr.

* * * * *

After the publication of this order, Teimer hastened over the mountains to Oberinnthal, in order to assist the Austrian troops that were entering in that quarter, and to cut off the communications of the Bavarians; and Hofer, with from 4 to 5,000 men, consisting of peasants from the valley of Passeyr, Algund, Meran, &c. who increased in numbers as he went, advanced over the Gaufen to Sterzing, to meet the enemy from Brixen.

The 8th division of the Austrian army, which was to assist the operations of the Tyrolese under the command of F. M. General Chastelar, consisted of three battalions of Hohenlohe and Bartenstein infantry, three of Lusignan, one battalion of the 9th Chasseurs, three squadrons of Hohenzollern light horse, together with the country militia, consisting of three battalions from Clagenfurt, two from Villach, two from Judenburgh, and two from Bruck; forming in the whole sixteen battalions of foot and three squadrons of horse. This force, however, was very deficient in cavalry, and to that deficiency may be attributed its frequent failure.

The advance of Chastelar and

Hormayr through the Pusterthal resembled rather the triumph of a victorious army than the march of one about to meet its enemies. They were every where received with enthusiastic demonstrations of joy—the village bells rang as they passed, and men, women, and children of all ages flocked in crowds to greet and cheer them by their acclamations. Mothers brought their children to look at them, and blind old men were led out of their cottages that they might hear, and bless their gallant countrymen. All endeavoured to get near, that they might shake hands with them, touch their clothes, or even kiss their horses.

Between Lienz and Sillian, on the evening of the 10th of April, they received news of the attempt of the Bavarians on the bridge of St. Lorenzen near Brunecken, which had compelled the Tyrolese to commence hostilities there six-and-thirty hours sooner than was originally intended. Wrede and Donnersberg had advanced with a squadron of dragoons, two battalions of light infantry, and three guns, from Brixen, with a view to quell the insurrection, and by destroying the bridges to delay the advance of the Austrians. On the arrival of this intelligence the advanced guard was ordered, in the greatest hurry, to hasten forward with a detachment of chasseurs and light infantry to the assistance of the Tyrolese. Chastelar and Hormayr put themselves at the head of the Hohenzollern light horse and set off at a full trot to the Mulbacher Clause and the heights of Schabs, which was the centre of military operations in the Tyrol.

A strong detachment of the French column we have before mentioned, had joined the Bavarians, and had taken their position in the Eisackthal on the main road between Brixen Clause and the bridge of Laditch.* At the beginning of the action with the Tyrolese they attempted to break their line by a continued fire, but for some time met with no success; the Tyrolese stood their ground firmly in spite of repeated and violent attacks.—Towards evening, however, the French were reinforced by about 1,000 foot and 600 horse, and then only the Tyrolese, overpowered by numbers, began to give way.

At this critical moment lieutenant-colonel Gerhardi appeared on the heights of Schabs with seventy of the Hohenzollern light horse and 200 chasseurs, who immediately charged the enemy, shouting as they charged. For some minutes the firing ceased—the Tyrolese broke out immediately into expressions of joy, some threw away their arms, some fell on their knees to return thanks, while others embraced the Austrians with tears in their eyes, calling them brothers.

The Bavarians, who were astonished at the sudden and unexpected arrival of this reinforcement, retreated in the greatest disorder, and were pursued towards Sterzing with a considerable loss of killed, wounded, and prisoners. General Lemoine with

about 2,000 French fled in the opposite direction, towards Botzen, in spite of general Bisson, who did all in his power to encourage and rally them, and was taken prisoner with all his men at Botzen.

Hofer, with his *Landsturm*, appeared on the heights above Sterzing, in the night of the 10th of April, and would have hastened to the assistance of his countrymen at Brixen, but unhappily he was completely surrounded by the enemy. The Bavarians attacked him on the following morning, opening their fire upon his party on the plains of Sterzing Moos; but the Tyrolese sharpshooters, who were sheltered by rocks, made dreadful havoc amongst them, and the artillerymen were several times shot away from their guns. At length the Tyrolese made a desperate charge, armed with spears, pitchforks, and any implement of offence they could collect, rushed upon the Bavarians like a torrent; while others, who were stationed on the heights, hurled huge masses of rocks and trees upon those beneath. After a desperate struggle which lasted for some time, the Bavarians gave way, and having lost several of their best officers, and above 240 men killed and wounded, threw down their arms and surrendered. About 580 prisoners were conducted, immediately after the action, to baron Sternach's castle at Wolfsthrun (a league distant from the field of battle), overhanging the main road from Sterzing.

Hofer at this moment received intelligence, that the French column, under the command of generals Bisson and Lemoine,

* The bridge of Laditch was formed of a single arch, suspended between two tremendous rocks, over the road from Innspruck to Italy and the Pusterthal: in old times criminals were executed here, *ad pontem pendentem*.

which had marched from Mantua, had joined the Bavarians near Brixen; that the peasants had prevented the destruction of the bridges of Laditch and St. Lorenzen, and that Chastelar had hastened up Pusterthal to their assistance; orders were therefore immediately issued for a pursuit, so that the peasants of the Innthal might attack them in the front at the same time that the peasants of the Whippthal attacked their rear.

A detachment, with one squadron of Bavarian light dragoons, and some Barenklau infantry, under the command of Wrede and Donnersberg, began their march from Sterzing to Innspruck over the Stellenberg and Brenner, but were much harassed in the narrow pass of Lueg by the peasants, who had taken their stations among the surrounding rocks. Their progress was also constantly impeded by immense heaps of trees thrown across the road, by bridges broken down and destroyed. In the mean time they committed every sort of excess during their march, plundering and maltreating every one they met; a conduct which did not produce the effect they intended—that of intimidating the peasants—but rather augmented that angry feeling which was already sufficiently strong, and gave a more decided character to their hatred of their oppressors.

During these proceedings the following letter from Chastelar was printed, and distributed throughout the country.

“ Brave Tyroleans! I am already in the midst of you. My troops have taken up their position near

Brixen and on the heights of Schabs, by which means all communication between the enemy and Italy is prevented. I have, at the same time, dispatched a strong division of horse and foot, and a supply of ammunition, over the Brenner to your assistance. Another division has marched towards Botzen. Remain, therefore, for the present at your posts, that you may cover my flank.

“ The capital will probably by this time be in possession of the advanced troops of field marshal Jellachich's division from Salzburg. On the first news of your being engaged with the enemy, which I received when I was yet far from you, I hastened to your assistance, marching day and night.

“ My march from the borders of Carinthia, through Lienz to Brixen, has been performed without halting, which proves how your ardour and courage have inspired my troops, and how eagerly they desire to become brothers of the brave Tyrolese.

“ Your prisoners, who have witnessed your intrepidity, shall be pledges for your personal security, they shall suffer if the horrors which the Bavarians have committed within these few days at Mault, Sterzing, and Gossensas, are repeated.

“ These days will be perpetuated in the history of the Tyrol. Your names will be handed down to your posterity, and your children will glory in the deeds of their fathers. You will realize the high expectations which the beloved archduke John has formed of you.

“ Tyroleans! trust me, as I

trust you.—Persevere and be courageous. In a few days the great work will be performed, and we shall have effected your deliverance!!

“MARQUIS CHASTELAR,
Field Marshal.

“*Muhlbach, 12th April, 1809.*”

From the enthusiasm displayed by the peasants, and the hatred which they manifested of the Bavarians, when the advanced guard of the Austrian army appeared before Brixen, it was feared they would commit some excess, and Hormayr immediately issued the following proclamation to tranquillize them.

“Faithful Tyroleans! so true to your religion and so attached to your native country, the greatest pride of my heart is to be your countryman, and the happiest moment of my life is that in which I am able to take a part in your deliverance.

“Yes, you have proved yourselves worthy to be free, you have proved that you deserve that constitution which existed while the Tyrol belonged to Austria, but which has been despised and destroyed since the emperor Francis has ceased to extend his sceptre over the beloved Tyrol.

“You have proved yourselves worthy to be free, do not, therefore, give way to your indignation and become ungovernable, but act with unanimity and coolness, determined to die or to be free.

“To injure the feeble is contemptible:—No Tyrolean will allow himself to be accused of such a deed—to follow the example of those who have nothing to lose, who molest and plunder

the peaceful and inoffensive, would inevitably sow the seeds of discord and disunion amongst us, and ruin our cause.

“I know the deeds of your fathers, our rights and liberties—I have written the history of my native country, and I will try to merit a place in it myself—but without discipline, order and obedience, nothing will prosper—I command you, in the name of the emperor, to be tranquil, and will punish all those who disobey his orders.—In the name of the beloved archduke John, in that of Chastelar, the brave leaders of the Austrian army, your saviours—I shall treat the first person who creates disturbance, or commits excesses, as an enemy to the country—his strength is to be used only in its defence.”

“JOSEPH BARON HORMAYR,
“Intendant of the Emperor.”
Brixen, 13th April, 1809.

On the 10th of April the peasants of the Innthal rushed to arms.—The signal was given that all was ready for the commencement of hostilities, and women and children were employed to carry about and distribute papers on which were written, “’Sist zeit.”—It is time!

On the morning of the 11th, more than 20,000 men were collected on the height above Innspruck, and the Bavarian piquets at Martinswand, Arams, Komaten and Berg Isel, retreated towards the city—all the roads on which it was possible for the enemy to find an outlet were broken up, and barricades of trees piled across them. The bridges were destroyed, and every measure

taken to prevent their escape. The enemy, meanwhile, placed guns on the two bridges of the Inn, and took up the most advantageous positions of defence that could be found.

Early in the morning of the same day the fire was opened with great violence, and a strong body of peasants, armed with muskets and long poles with bayonets fixed to them, possessed themselves of the bridge of Mohlauer.

The Bavarians, who were stationed on the upper bridge of the Inn, could not withstand the impetuosity of the Tyrolese, and were speedily dislodged and killed at their guns before they had time to discharge them. The peasants rushed on, waving their hats and shouting "Long live the emperor Francis—down with the Bavarians," and completely routed them. In the narrow part of the road to Hotting, many of the enemy were struck down by the butt-ends of muskets, while others were thrown over the bridge into the water and drowned; all that could escape, retreated hastily into the city, where they were closely followed by the Tyrolese who thronged in numbers through the gates. The city was garrisoned by the regiment of Kinkel, one squadron of cavalry and some detachments of light infantry.

It was 9 o'clock in the morning—the tumult and confusion became general.—The Bavarians, who had stationed themselves on the tops of the houses and at the windows, could not withstand the incessant irregular fire of the peasants, but soon abandoned their posts, threw down their arms in the streets, and begged for mercy; but in the last extremity

many of them defended themselves with the greatest intrepidity, and those who were stationed at the barracks stood their ground to the last man. Colonel Dittfurt was every where encouraging, entreating, and menacing his men, in the same breath, and fighting in the most desperate manner, as if he thought every thing depended on the fate of the day.

The Tyrolese were in possession of the house of the commander-in-chief (Kinkel) and were pressing him to surrender, when Dittfurt, who had already received two wounds in his body, came up and attacked them alone sword in hand—a third ball struck him in the breast, and as he sunk on his knees a stream of blood gushed from his mouth;—as some peasants came to take him prisoner, he raised himself up, and called faintly to his men to come on and not to be cowards, when he received a fourth ball in his head and fell senseless.—A few minutes afterwards lieutenant colonel Spansky was shot dead from his horse at the corner of a street, and the main body of infantry threw down their arms.

The cavalry, who, in the beginning of the fight, had done the most execution, were at length thrown into disorder. The Tyrolese, as soon as they saw them approaching, dispersed; at the same time keeping up an irregular fire, which made dreadful havoc, without their being able to revenge it.—On the surrender of the infantry they were panic struck, and, finding none to support them, fled in all directions, regardless of the entreaties of their officers;—some rode furiously about the streets not know-

ing which way to turn, while others stood motionless, apparently disregarding their fate.—In this moment of confusion the Tyrolese rushed upon them, and forcing them with their pitchforks to dismount, got upon their horses.

This Dittfurt, supported by three other men, was supposed to have been the principal cause of separating the Tyrol from Austria. Hoffstetten and Wieg, Circle directors, and count Welsberg, commissary general of Etsch Circle, were the persons alluded to.

Hoffstetten, the first of these, the Bavarian agent in the Berchtholdsgaden, had always been noted for the immorality of his life—like the Parolles of Shakspeare, he was a mixture of vanity and ignorance, of real cowardice and affected bravery. He was known as circle captain of the district of Pusterthal, and in that capacity had gained universal hatred; he was entirely under the influence of an abandoned woman who was the chief depository of all his secrets, and through whom the Austrian emissaries found it no difficult matter to procure access to him.

Wieg was a man of great spirit, prudence, and activity, and of acknowledged rectitude;—he was twice sent upon a secret mission to Vienna, in 1799 and 1805. This mission was ostensibly under the direction of the baron Gravenreuth, who himself was merely an instrument of Comte d'Antraigues and the Swedish ambassador, general Armfeldt, whose intrigues were the principal cause of that bad understanding between the courts of Austria and Bavaria, which

has been attended with such disastrous consequences not only to Germany, but to the whole of Europe.—Wieg came to the Tyrol full of the ideas which he had acquired in this school, though not all congenial to the feelings of those simple minded peasants.

Count Welsberg was not destitute of talents, but was without energy; disappointed ambition seems to have been the principal motive for his conduct; he was of high rank, and had filled eminent stations, but failing in some object which he was anxious to carry, he refused from pique what was his due—what his ancestors had enjoyed before him, and what he would certainly have obtained;—he broke off suddenly his negociations with the court of Austria, and in a fit of anger and resentment, exerted all his faculties in opposition to it.

Dittfurt, the fourth of these opponents of Austria, first distinguished himself in the valley of Fiemme (*Fleims Thal*), where the peasants first manifested a determination to resist the new system of recruiting at that time adopted.—Dittfurt, then lieutenant-colonel, was sent against them in January, 1809, with his troop; and in spite of the resistance of the civil commissary Riccabona, he committed excesses which increased instead of allaying the irritation of the people; proud of an easy victory, he hastened with Wieg to Munich, where he was immediately promoted.—He boasted publicly “that with his regiment and two squadrons he could check the ragged mob.”—This produced confidence at Munich; in spite of which, however, the com-

commander-in-chief of the Bavarians gave orders, in the night of the 11th April, 1809, for active operations.

In the action at Innspruck, here mentioned, Dittfurt saw that all that was left for him was to die gloriously, and he fought like a hero, till, covered with wounds, he was at length made prisoner by the very peasants whom he had so much despised; after lingering twelve days in a delirious fever he breathed his last.—F. M. Chastelar paid him every attention, and tried every possible means of alleviating his sufferings by kindness and care; but Dittfurt was insensible to it all, and continued to rave about butchering peasants and the defence of Kufstein.—Once only he spoke to Chastelar, and then sarcastically said “if every one had behaved as I have, you would not have been here,” alluding to general Kinkel who had commanded the Prussian fortifications in 1806. Dittfurt died unregretted; for his character, and conduct were not calculated to gain esteem; but as a soldier he was highly estimated, and his services merited the greatest praise.

As Dittfurt lay half fainting from loss of blood in the guard house at Innspruck, surrounded by his disarmed companions, he asked “who had been the leader of the peasants,”—“No one,” was the answer, “we fought equally for God, the emperor, and our native country:”—“That is surprising,” replied Dittfurt, “for I saw him frequently pass me on his white horse.”

This accidental and insignificant speech made the greatest impression upon the minds of the peasants, who are strongly ad-

dicted to superstition, and from that moment they were convinced that St. James, the patron of the town of Innspruck, had fought with them.

At 11 o'clock Innspruck was in possession of the peasants, nearly the whole of the Bavarian troops being made prisoners, consisting of the commander-in-chief general Kinkel, with his regiment, one squadron of cavalry, four six-pounders, several ammunition waggons, all the baggage and provisions, and two colours. Major Teimer particularly distinguished himself on this occasion, having made prisoners with his own hand, count Lodron, commissary general for the district of the Inn, and the French colonel Constantin, whom Buonaparte had sent to Innspruck to watch the proceedings of the Bavarians.

A small party of cavalry, amongst whom was count Erbach, had escaped out of Innspruck during the confusion, but they were pursued and taken prisoners by Joseph Speckbacher at a short distance from the town, together with the Bavarian piquet, at the bridge of Volders, who on the first alarm had taken refuge in a convent, but were soon dislodged by the Tyrolese, who burst open the gates by means of an immense fir tree, which was carried by fifty men, and used as a battering ram.

The Tyrolese, after this decisive victory, were so elated that their joy knew no bounds, nothing was heard but shouts and rejoicings. The imperial eagle was taken down from the tomb of Maximilian, decorated with red ribbons, and carried through the streets amidst the acclamations

of the people, to the house of baron Taxis, where it was fixed, and where the peasants flocked in crowds to kiss and look at it. The pictures of the emperor and the archduke John were placed on a sort of triumphal arch, surrounded by lighted candles, which were kept constantly burning, and every one that passed bent his knee before them, crying, "Long live the emperor!"

These rejoicings, however, were not of long duration. The victorious peasants, who, overcome by the fatigues of the day, had fallen asleep in the streets, or in the orchards around the town, were suddenly awakened at 3 o'clock on the following morning, by the alarm bells of the city, and of all the adjacent villages. It was soon discovered that a strong column of Bavarians and French were advancing towards Innspruck, and at 5 o'clock they appeared on the heights of Berg Isel. Lieutenant Margreiter, with a detachment of the advanced guard, was the first who attempted to enter the town; but he had scarcely passed the triumphal arch when he received a mortal wound in his breast, and fell from his horse. The gates were immediately barricaded, with casks, waggons, and every thing that could be found for the purpose. The doors of all the houses were closed up, and every preparation was made to receive the enemy.

In the mean time the combined troops of the enemy arranged themselves in order of battle, taking up two different positions. The French, under the command of lieutenant general Bisson* oc-

cupied the ground between the abbey of Wiltau and the village of that name. The Bavarians placed themselves to the left of the French on the ground between Wiltau and the river Inn. The French having the river Sill in their rear, and the Bavarians the rocks of Berg Isel, which were covered with Tyrolese sharp-shooters. Chastelar in the mean time had pushed on from Sterzing, and the detachment of Austrians from Salzburg was rapidly advancing up the Innthal, so that the enemy found themselves completely surrounded and were far from being satisfied with their situation.

Teimer had entered the city on the preceding day, just before Dittfurt fell, and during these preparations he had an interview with his prisoner general Kinkel, whom he compelled to write a letter to the enemy, begging them to send some confidential person into the town to whom he might explain the true state of affairs. This letter, which was immediately dispatched, had the desired effect, and in a short time colonel Wrede, accompanied by a French colonel, entered the town. These were immediately attacked with such fury, that all who were able retreated in haste to the main army, but not before they had lost 200 men; while the Tyrolese, during the three days constant fighting of the 11th, 12th, and 13th, only lost in all 26 men, killed and wounded.

Wrede and the French officer that accompanied him were detained by order of Teimer, whilst the rest of the prisoners were allowed to return to the enemy. They on their return gave such an exaggerated account of the

* Bisson had the command of Mantua when Hofer was shot.

strength, as well as the fury of the Tyrolese, that the French were in the utmost consternation; and the Bavarians were confounded by the loss of their commander, as well as alarmed at the news they heard.

Teimer, accompanied by baron Taxis and the brave Atzwanger, commander of the armed Bourgeois, together with several other chiefs of the peasantry, repaired soon after to the French lines. He found the French staff on a rising ground near the village of Wiltau, next the chateau of count Wolkenstein. General Bisson received him courteously, affirmed that he intended no injury to the town, and merely demanded that his troops might be permitted to march unmolested to Augsburg. He made no stipulation for the Bavarians. Teimer replied, that he would hear of nothing less than the surrender of the whole army; upon which Bisson answered, that he would rather sacrifice every man under his command than submit to such humiliation. Teimer did not deign to reply, but quitted him abruptly and returned to the Tyrolese, who immediately opened a fire upon the enemy, which made dreadful havoc amongst the French grenadiers, and they were so alarmed at the shouts and impetuosity of the peasants, that they stood almost motionless, scarcely returning the fire which diminished their numbers at every moment. Seeing their desperate situation, the French officers used every means in their power to induce Bisson to surrender on honourable terms to the Tyrolese, and recalled Teimar to arrange with him the conditions on which he would accept their sub-

mission. Bisson, however, partly from a feeling of pride, and partly from the fear that such an act would bring down upon his head the wrath of his inexorable master, was for some time unwilling to sign the articles of surrender.*

The following articles of surrender were signed by Teimer:—

“In the name of Francis the First, emperor of Austria, the French and Bavarian troops at Steinach and Wiltau agreed to the following conditions of surrender.

1st. That the French and Bavarian army shall lay down their arms immediately.

2ndly. That the whole body of the 8th division of the army shall deliver themselves up to the Austrian troops at Schwaz.

3rdly. That all the Tyrolese who have been made prisoners by these troops be set free.

4thly. That the officers of the French and Bavarian army shall be set free, with their swords, baggage, horses, and all other property untouched.

Our admiration of the national character of the Tyrolese will certainly be augmented, when we reflect that so little blood was shed in an insurrection in which every individual in the country was concerned, the cause and ultimate object of which was to drive from their territories a foe who had treated them with every species of cruelty and oppression. It is scarcely possible to suppose, that, amongst such a mass of irritated people, some instances of individual cruelty would not

* As a reward for his eminent services on this occasion, Teimer was created baron Wiltau.

be found. There were some who undoubtedly had not the due command of their passions, and in a moment of irritation and fury, they were guilty of excesses which did not add to the glory of the cause; but these instances are few. The peasants conducted themselves generally in a manner equally creditable to their leaders and themselves, their prisoners were treated universally with the greatest humanity and kindness,

and instead of following the base example of the Bavarians, they seemed eager to show them every attention in their power. And while the courage and intrepidity of the Tyrolese patriots will be remembered throughout Europe, for years to come, with enthusiastic admiration, the humanity with which they treated their enemies will be honoured and respected.

MANNERS AND CUSTOMS.

DOMESTIC CEREMONIES AND FAMILIAR USAGES OF THE JAVANESE, &c.

(*From Crawford's History of the Indian Archipelago.*)

MARRIAGES are seldom, if ever, consummated until the age of puberty with the women, and not for two or three years after it by the men. To marry their daughters about that age is a point of honour with parents, for obvious reasons, in a country where inclination is not restrained by the discipline of education and morals. At the age of eighteen or twenty, a woman in Java is called an old maid, and an *old maid* is a suspected thing among the Javanese. No age, however, excludes a woman from the chance of a husband; if she cannot, at the usual age, make an eligible match, she will be sure in time to make some match or other; so that I never saw a woman, of two-and-twenty that was not or had not

been married. Prudential motives often induce the men to delay marriage even as late as the age of five-and-twenty. Widows marry at any age, even to fifty; but they marry men of corresponding ages with themselves; widowers do the same thing; so that among the Indian islanders one seldom sees any of those discordant matches, from disparity of ages, that frequently occur in other countries of the east. Examples are even afforded of unions where the husband is younger than the wife, and those where the ages are equal are sufficiently common. The present sultan of Java, at whose nuptials I was present, was married to his own cousin, a very pretty and interesting young woman, three years older than himself.

The Courtship, if it deserves the name, is conducted, not by the parties themselves, but by their parents. Their youth, and the state of morals, generally render this necessary. The slight-

est interference of the young people themselves would indeed be deemed matter of the utmost scandal. Conversing with an old chief on this subject, he told me that the bridegroom and bride were looked upon, in his phrase, *as puppets in the performance*.

Marriages are of three kinds. The first, which is the most usual, takes place when the rank of the parties is equal, or that of the husband is superior to that of the bride; the second, when the rank of the wife is much superior to that of the husband, and he is adopted into his father-in-law's family; and the third is a kind of imperfect marriage, or concubinage, which legitimizes the offspring, without placing them upon an entire equality with those of the higher descriptions of marriage. There are no persons, indeed, stigmatized by the name of bastards, in the state of society which exists in the Indian isles.

In the two first descriptions of marriage, there is no difference in *the ceremony*, and in the last, there is no ceremony at all, the marriage consisting in the mere repute of the parties living together.

In the regular marriages, the parties are always betrothed to each other for a longer or shorter time, sometimes not for more than a month, and at others for a period of years. I shall describe the marriage ceremony of the Javanese in detail, as an example of those of the other tribes, which differ very little from it.

The father of the young man, when he imagines he has found a suitable match for his son, waits

upon the father of the young woman, and makes proposals. A negotiation commences, chiefly conducted by the women, which, if successful, terminates in *the betrothing*; and a trifling gift is presented by the future bridegroom, in earnest of the engagement. Among the Javanese, it is usually a ring or piece of cloth; and the ceremony is denominated the *paningsat*, or *binding*. The *earnest* delivered by the Malays is a quantity of prepared areca, which gives name to the ceremony.

The second portion of the ceremony consists in the family and friends of the bridegroom paying a visit at the house of the bride's father, and presenting fruits and viands. The object of this ceremony, which the Javanese term *lamaran*, is to give publicity to the intended nuptials.

In the common marriages of the Indian islanders, *a price* is universally paid by the husband for his wife; and the third branch of the Javanese marriage ceremonies has reference to the arrangements for this important business, which are made the night before the nuptials. The gifts consist, according to the circumstances of the parties, of money, jewels, cloths, kine, buffalos, rice, &c. In the common language of Java, the nature of the transaction is plainly enough implied in its name, *patukon*, or the *purchase-money*, which, however, with some regard to delicacy, is occasionally called *srahan*, or *the deposit*. Among some tribes, the money or goods go to the parents of the young woman, without limitation;

but in Java they are generally looked upon as a settlement or provision for the wife.

The only portion of Mahomedanism in the whole ceremony consists in the bridegroom's appearing at the mosque on the forenoon of the marriage day, with his father-in-law, when engaging for the *mas karwin*, a trifling sum prescribed by the Mahomedan law; he is then married, and takes the vows according to the Mussulman ritual of marriage. This last is a concession to their present form of worship; the rest is entirely native.

All the native ceremonies are solemnized at the house of the bride's father, and not at that of the bridegroom's father. In some parts of the island of Java, so much deference is paid to the bride's inclinations, that if it be demanded, the husband, if of a different village or district, must come and reside in the village of his spouse. When I was Resident of Surabaya, in 1815, a peasant came into the court of justice, claiming that his wife, a young girl whom he had just married, might be ordered to come home to him, and reside in his village. Nothing appeared more reasonable. The parties appeared personally in court; and the lady was inflexible in her determination to continue in her own village. An old man was examined upon the custom of the country, which he explained in favour of the claims of the wife, observing, in an illustration quite characteristic of the manners of the people, "It is not the wild heifer that goes in quest of the wild bull, but the bull that goes in quest of the heifer!"

With respect to the details of ceremonials, they differ not only in every country of the Archipelago, but in almost every district of the same country. In Java, suffice it to say, that they consist of public processions, in which the bride and bridegroom, with their friends, parade the country, village, or town—attended by music—decorated in their gayest attire—and decked with the borrowed jewels of the best part of the neighbourhood. As much of the parade as possible is equestrian, and the bridegroom is always mounted. The bride is conducted in a kind of open litter.

In the marriage ceremonies of persons of rank, a person dressed as a buffoon or satyr precedes the procession, exhibiting strange and fantastic gestures. At the marriage of the young sultan of Java, already alluded to, this ridiculous object presented itself at the most solemn and affecting part of the ceremony.

When the parties finally meet at the house of the bride's father, the bride rises to receive her lover; he conducts her by the hand to a distinguished seat, prepared for the occasion, where, as a pledge or token of sharing his future fortunes with her, he presents her with a little rice, and they eat from the same vessel. This exactly corresponds with the Roman *confarreatio*. In some parts of Java, the bride, in token of *subjection*, washes the feet of the bridegroom; and in others, for the same reason, he treads upon a raw egg, and she wipes his foot.

Petty deviations of this sort are numerous, but, generally, not

worth noticing. One practice, dictated by superstition, as it illustrates the character of the people, may, however, be particularized. In some parts of Java, when a man marries a second or third wife, he is made to advance with an ignited brand in his hand, on which the bride pours water from a vase to extinguish it. A Javanese informed me that he was present at one of these marriages, and that the bride, a widow, tired of the operation of pouring the water on the brand, discharged the vessel and its contents full in her lover's face.

On the day after the marriage, the bridegroom takes his wife home to his father's house, where a great feast is given to the friends and relations of both parties.

The endless variety of ceremonies *at births* it would little interest the reader to repeat, and the detail would afford him no insight into the character of the people. When a woman quickens of her first child, this is the occasion of a festival; when the seventh month of her pregnancy is successfully passed, this is one for another; when the umbilical cord drops off, this is the occasion of a third. It is on this last that the child receives a name; but they have no solemnity corresponding to our baptism. A native, accustomed to our manners, told me that they bestowed names upon their children with as little ceremony as we did upon our dogs or horses! Those who have a smattering of Arabic, and make pretence to a superior piety, give Arabic names to their children. This is common with the Malayan tribes. The Javanese content themselves with na-

tive names. The love of progeny with all is declared in the frequency of the practice among the lower orders, throughout the different countries of the Archipelago, of the father and mother dropping their own names as soon as their first child, particularly if a boy, is born. If the child, for example, be called, as is frequent enough, by such names as "the Handsome One," or "the Weak One," &c. the parents will be called "the father and mother of the handsome one, or the father and mother of the weak one," &c.

The names bestowed among the Indian islanders may frequently be considered as *titles*, and are changed at every promotion of one's state or circumstances.

From the age of eight to twelve years, the ceremony of circumcision is performed on the male children; and in Java (I do not know whether the custom be general) a corresponding ceremony is observed in regard to the young women.

The *funerals* of the Indian islanders who are Mohamedans are conducted with a decent solemnity, usually without clamour and without ostentation. When a person dies in the evening, the body is kept until the following morning, but if he die whilst the sun is up, it is usually interred the same day. The observances of the funeral are almost purely Mohamedan. The body, after the customary ablutions, is wrapped in white cloth, and without a coffin deposited in the grave. A simple mound of earth, and a temporary wooden frame, mark the place of interment; it is seldom that the grave is covered by

a stone, and still rarer that there is any inscription. In Java there is a beauty and simplicity in the native burying grounds, which will not fail to attract the notice of a person of good taste. They are generally in a romantic spot, particularly a hill, at some distance from the village, and consist of groves of the *samboja* tree, a plant which, even when young, from the fantastic growth of its stem, has a venerable and solemn aspect. The little mounds of earth at the foot of each tree alone point out where the "rude forefathers of the hamlet sleep."

Among the many customs common to the Indian islanders, there is none more universal than the veneration for the tombs of ancestors. When the Javanese peasant claims to be allowed to cultivate the fields occupied by his forefathers, his chief argument always is, that near them are the tombs of his progenitors. A Javanese, as I have remarked in another place, cannot endure to be removed from these objects of his reverence and affection; and when he is taken ill at a distance, begs to be carried home, at all the hazards of the journey, that he may "sleep with his fathers." The bodies of some of the princes who died in banishment at Ceylon, I perceive, were, at their dying request, conveyed to their native island.

In Java, conformably to this feeling, there is an annual festival on the eighth of the month of Shawal, held in honour of ancestors. On this occasion, the men, women, and children, dressed in their decentest attire, repair to the burying grounds, and pass the day in devotion, each family strewing the tombs of its proge-

nitores with the flower of the *sālasī* or Indian *tulsi*, a plant cultivated in considerable quantity for this express occasion.

In *exterior manner*, the most accomplished and courtly of the Indian islanders fall far short of that ease and elegance of address which is so general with the natives of Persia and Hindustan, and which, however hollow and insincere, must excite some share of our admiration. There is a sort of rigid awkwardness in all their forms of address, particularly if compared to the supple graces which distinguish the manners of the natives of Hindustan. It will be almost unnecessary to dwell upon those particulars in their external demeanour, in which they agree with other orientals. It is respectful to cover the head, instead of uncovering it as among us. It is respectful to sit instead of standing. It is the very highest degree of respect to turn one's back upon a superior, and often presumption to confront him. It is the custom to sit cross-legged and on the ground. When an inferior addresses a superior, his obeisance consists in raising his hands, with the palms joined before his face, until the thumbs touch the nose. This he repeats at the end of every sentence, and if very courtly, at the conclusion even of each clause. When equals meet, their salutation is cold and distant, but in the ordinary intercourse of life, a relative superiority or inferiority of condition is usually confessed, and a demonstration of it constantly takes place. If a son has been long absent from his father, he throws himself at his feet and kisses them. A demonstration of

affection, less profound, would extend the embrace only to the knee, but a very obsequious courtier will sometimes take his monarch's foot and place it on his head. The association between loftiness and humility of manner, and physical superiority and inferiority, appears to be constantly present to their minds. An inferior never stand *upright* before a superior. If he stand at all, the body is always bent; if he sit, it is the same thing, and his eyes are fixed to the ground. When he advances and retires, he moves as if on all-fours, and crawls or creeps rather than walks. There is one mode of demonstrating affection and respect, particularly nauseous and indelicate. It consists in the superior's offering to the inferior the chewed refuse of the betel and areca preparation as a mark of great affection, which the latter swallows with much satisfaction.

The salutation by *touching the lips* is wholly unknown to the Indian islanders. The parallel ceremony with them both expresses and implies *to smell*. This is universal among all the tribes. The same term always expresses, in every language, the action of smelling, and this singular mode of salutation. The head and neck are the usual objects of the embrace, the performance of which is always accompanied by an audible effort, corresponding with its literal import.

At meals, not much delicacy of manner is observed by the Indian islanders. The direct gratification of the appetite, without much regard to the manner, is the principal object everywhere, indeed, out of modern Europe, where alone refinement and sentiment at-

tempt to throw a veil of decorum over every indulgence of mere sensual appetite. Like other orientals, the Indian islanders squat down, and eat on the ground, or on covers little above its level. The naked hand alone is used to convey the food to the mouth, which, consisting of rice of an adhesive character, which is readily wrought into a ball, and of fish, or other animal food, cut into little fragments, renders superfluous either knife, fork, or spoon. Ablutions are carefully performed both before and after meals.

As connected with the domestic manners of the Indian islanders, reference requires to be made to the peculiar forms among them of using intoxicating or narcotic drugs.

The most important of the practices connected with this subject, is that of chewing the prepared areca and betel, so wide spread and universal. This is one of those customs of arbitrary institution which, in all probability, originated with one tribe, and from them was disseminated among the rest. The names of both plants are nearly the same in every language of the Archipelago, and they are both indigenous. It is more likely, indeed, that the use of the areca, the leading ingredient, like that of the clove and nutmeg, was communicated from the people of the Archipelago to the neighbouring nations, than that it was introduced among them by foreigners. In confirmation of this, it may be observed, that among the Asiatic nations, the use of the preparation diminishes in frequency as we recede from the Archipelago, and that the neighbouring nations are to this day

supplied with a great share of their consumption of the drug from that country. The wide extent of the practice of chewing the betel will surprise no one who considers the universal fascination of narcotic drugs, and who adverts, in confirmation of it, to the *wonderful* history of the dissemination of the tobacco plant.

The whole preparation consists, as is pretty well known, of the pungent and aromatic leaf of a species of pepper vine, which grows luxuriantly, and with little care, in the Indian islands, a fact which implies that it is indigenous; a small quantity of terra japonica, an agreeable bitter astringent; a minute proportion of quicklime; and, above all, the fruit of the areca palm, which, in one or two of the languages, we find distinguished by the name of "the fruit." This last is gently narcotic, and hence, I imagine, the charm which renders the whole preparation so bewitching to those who use it. Persons of all ranks, from the prince to the peasant, are unceasingly masticating it, and seem to derive a solace from it which we can scarce understand, and which they cannot explain. When the preparation, through mastication, is mixed with the saliva, the latter assumes a dirty brownish red, which colours the teeth, gums, and lips, leaving, as it dries upon the latter, a black-coloured margin. These nauseous particulars are, to the surprise of strangers, considered a beauty, such is the effect of custom. No mouth is thought handsome that is not engaged in chewing the betel, and in their poetry a lover is often described comparing that of his mistress to the fissure in a

ripe pomegranate, the aptness of the simile consisting in the comparison of the stained teeth to the red grains of the fruit, and of the black stain on the lips to the hue which the broken and astringent rind assumes on exposure to the air.

In common with the rest of mankind, the Indian islanders have adopted the use of tobacco. The *one name* by which it is recognized in all the languages of the Archipelago, and that the American, or rather the European, points out from what source it was derived.* The practice of smoking it was introduced in Java about the year 1601, according to the Javanese annals, only forty years after its first introduction into the southern countries of Europe, and but fifteen years after its introduction into England. Most probably it was introduced by the Dutch, who came to Java but five years before. Had the Portuguese taught the natives the use of it, the era of its introduction would have been earlier, from whence we may infer, that the use of it, at an earlier period, was not common among that people themselves.†

The fascination by which all mankind are led to the consumption of this plant, is no doubt owing to its agreeable narcotic qualities; but these qualities, however alluring, would never have led to the general use of it,

* The term by which the plant is known to the Javanese, in the factitious language of ceremony, is somewhat whimsical. It is *soto*, which also means a game-cock. This points at the estimation in which both the plant and animal are held.

† Neither Pigafetta, Drake, nor Cavendish, make mention of the use of tobacco among the Indian islanders.

“from China to Peru,” had it not been *the only* agreeable narcotic which may be said to grow, and to grow with little care or trouble, in every climate, the circumstance alone which could render it cheap enough to be consumed by all mankind. Could the tea plant have been so cultivated, we should certainly have found the use of it not less universal.

The practice of *smoking* tobacco, first tried, has been generally discontinued, and the Indian islanders now use it in a peculiar manner. The tobacco is finely shred, and a portion of it, in this form, is pretty constantly held between the lips and teeth, and, when the person wishes to speak, thrust between the latter and the gums, adding, in either case, greatly, in the opinion of a stranger, to the disgusting effects of the betel and areca preparation.

The Indian islanders are well known to be passionately addicted to the habitual *use of opium*, and yet the general use of this drug is but of comparatively recent introduction. They may have been taught the use of it by the Arabs; but the extensive and pernicious consumption which now distinguishes the manners of the Indian islanders, is to be ascribed to the commerce of the Europeans, and to the debauching influence of Chinese manners and example. Such is the universal taste for this drug, that it is limited only by the price. It is consumed, of course, in greatest quantity where it is cheapest, and a very inconsiderable rise or fall in price will augment or diminish the consumption in a surprising degree, even in countries where the people have been long ac-

customed to the habitual use of it. It is, however, a luxury, and a luxury very highly taxed, and, of course, the consumption is far from being universal. The opium poppy is fortunately not a native of the Archipelago. Had it been so, a consumption of the drug co-extensive with that of the areca and betel preparation might be apprehended, and the destructive consequences to population and morals would be certain. The habitual use of opium is wholly unlike that of the gentler narcotics, tea, coffee, areca, and even tobacco, and is far more pernicious than that even of any description of fermented liquor. As long as the use of it is restricted, it produces no ill consequences, but it is more seductive than any other intoxicating drug, and the free use of it more deleterious. The abuse of it is soon discovered by those accustomed to observe its victims. It produces general emaciation, a wild stare of the eye, a cough, a hectic, and a total loss of appetite. The whole of the tribes of the Indian islands invariably smoke, instead of eating or chewing opium, like the Turks, and other people of Asia. The case is exactly reversed with respect to it and tobacco. The mode of preparing and using it is well described by Mr. Marsden. “The method of preparing it,” says he, “for use, is as follows: The raw opium is first boiled or seethed in a copper vessel; then strained through a cloth, to free it from impurities; and then a second time boiled. The leaf of the *tambaku*, shred fine, is mixed with it, in a quantity sufficient to absorb the whole, and it is afterwards made up into small pills, about the size of a

pea, for smoaking. One of these being put into the small tube that projects from the side of the opium pipe, that tube is applied to a lamp, and the pill being lighted, is consumed at one whiff or inflation of the lungs, attended with a whistling noise. The smoke is never emitted by the mouth, but usually receives vent through the nostrils, and sometimes by adepts, through the passage of the ears and eyes. This preparation of the opium is called *maadat*, and is often adulterated in the process, by mixing jaggari or pine sugar, with it; as is the raw opium, by incorporating with it the fruit of the pisang, or plantain."

The Indian islanders, although addicted to the use of intoxicating drugs more generally and more extensively than any other people, yet have no striking bias for vinous or spirituous liquor. I look upon this to be a constitutional matter, and the result of climate, for I believe the passion for spirituous liquor has never been known to exert a pernicious influence over the inhabitants of tropical climates. Had such a passion been natural to the Indian islanders, the productions of their country would have afforded abundant means of gratifying it. They manufacture a sort of beer from rice, by a cheap and expeditious process, and their many palms afford a cheap and abundant supply of wine of an agreeable taste, and, when in a state of fermentation, highly intoxicating. Of these resources they cannot be said to take an undue advantage. Some of the tribes are restrained, indeed, by religious motives, but others, who have no scruples of

this description, are sober, and although an occasional debauch may be committed, habitual drunkenness is so rare, that in my extensive intercourse, I cannot remember a single example of it.

GAMES AND AMUSEMENTS OF
THE INDIAN ISLANDERS.

(*From the Same.*)

The Indian islanders, like all people unaccustomed to regular and systematic occupation and industry, are passionately fond of play, and those tribes naturally carry it to the greatest degree of extravagance whose habits and lives are most irregular and unsettled. The Malays and inhabitants of Celebes are, by their extravagant attachment to gaming, distinguished beyond all the rest. Even among the Javanese, though they lead lives of greater tranquillity, and are more in the exercise of habitual industry, the passion is general, pervading all orders, from the prince to the peasant. In illustration of the influence of this propensity, I shall mention a few instances, from which the reader will judge of its extent. In the central and most commercial provinces of Java, there is a class of ambulatory labourers, usually denominated *Bator*, and these afford to the stranger the most striking example of the pernicious effects of this vice. These persons are thoughtless and extravagant, and by starts idle and laborious. No sooner have they received their hard-earned wages, than they form a ring on the public street or highway, sit down deliberately and squander it away. A person travelling through the most frequented roads of Java, is con-

stantly presented with such scenes. Such exhibitions, however, are not confined to this more dissolute class. On a market day, in every part of the country where open gaming is not absolutely prohibited, men and women, old and young, form themselves into groups in the streets of the market, for the purposes of play, and the attention of the stranger is soon attracted to these crowds, by the tumultuary and anxious vociferation of the players.

Of the passion of the Javanese for play, we have another striking illustration in the artifice resorted to by the proprietors of treasure, or other valuable property, to protect it at night from the depredation of thieves, when it is transported from one part of the country to another. The only antidote to the supine carelessness and somnolency of the Javanese is play, and the proprietor of the property, therefore, furnishes the party with a sum to gamble for, which insures a degree of vigilance which no inducement of fear, duty, or reward, could command!

When engaged in play, we imagine the character of the natives appears for the moment thoroughly changed, for their grave, orderly, and calm manners, are changed into impatience, eagerness, and boisterous noise.

Among the Malays and people of Celebes, the influence of play is still more violent. After losing their money, they stake their jewels, their side-arms, their slaves, and, it is often alleged, that men stake their wives and children, or in the last extremity, their own personal freedom. With these tribes, the disputes

which arise at the gaming table are often terminated by the dagger, or generate incurable feuds between families.

Games of hazard are the favourites of the Indian islanders. They do not much practise games of sedentary skill, and games of exercise are neither congenial to their habits, nor to the climate they inhabit.

Of games of hazard, the most common and most gambling is a kind of chuck-farthing, acquired from the Chinese, the most debauched of gamesters. From them, too, they have acquired the knowledge of cards, and of a kind of *faro*. From the Portuguese they have acquired the knowledge of dice, as the name (*dadu*) implies. Among the Javanese, the only game of pure hazard of native origin, consists in guessing the number of beans, of a certain description, which the players hold in their hands. It is called by them *Ta-lagatari*.

Of the sedentary games of skill, the native ones are a variety of descriptions played on checkers resembling our draughts.

Of the celebrated game of chess, supposed to have been invented by the Hindus, I must on this account say more than would otherwise be necessary. The collateral evidence afforded on this subject, from an examination of its history among the Indian islanders, does not tend to corroborate the hypothesis of chess having been invented by the Hindus. The Javanese, the tribe with whom the intercourse with the ancient Hindus was most busy, hardly know the game but by report, and even thus far they know it only by its Persian name.

The Malays, on the contrary, know the game well, and are fond of it ; but then they have acquired it in comparatively recent times, and in their modern intercourse with the Telingas. The evidence of language not only shows this, but shows also that the Telingas must themselves have borrowed it from the Persians. *Chatur*, the name of the game, is Persian, and not Indian. *Sah*, “check,” is the Persian word *shah*, king, and the only way in which the Indian islanders can pronounce it. *Bidah*, a pawn, is but a corruption of the Persian word *piadah*, a foot-soldier ; *ter*, the Malayan name of the castle, is of the vernacular language of Kalinga ; and *mat* is not, as some have imagined, a corruption of the Malayan word *mati*, dead, but the true Persian word for checkmate borrowed by ourselves, and still more accurately by the French.

Is it not probable, that, had the Hindus, when they enjoyed a monopoly of the intercourse with the Indian islanders, known the game of chess, they would have recommended themselves to a people passionately addicted to play, by instructing them in this interesting game ? They did not instruct them ; and the probability therefore is, that they themselves did not understand it. Sir William Jones acknowledges, that no account of such a game exists in the writings of the Brahmans.

But of all the species of gaming, that to which the Indian islanders are most fondly addicted is staking on the issue of the combat of pugnacious animals. The cock, from his superior courage, is the great favourite ; and

the diversion of cock-fighting is most especially in vogue among the Malays, the people of Celebes, and the Balinese. To these tribes the game-cock is such an object of interest, that their songs and poetry are full of his praises. The breed most esteemed is the produce of Celebes. The Javanese fight their cocks like the Mohamedans of Hindustan, without spurs ; the Malays, Bugis, and Macassars with an artificial spur, in the shape of a small scythe, which, however, notwithstanding its barbarous appearance, is in reality less destructive than the form in use among ourselves.

Quail-fighting, more particularly among the Javanese, is extremely common. The most famous breed is brought from the island of Lombok. It is singular that it is the female, the male being comparatively a timid and small bird, which is used in these bitter, but bloodless combats.

The Javanese do not disdain to be amused by a battle between two warlike crickets, called, in their language, *jangkreh*, nor hesitate to bet considerable sums on the result. The little animals are excited to the combat by the titillation of a blade of grass judiciously applied to their noses!!

The puerility of the Javanese in matters of this sort does not end here. They will risk their money on the strength and hardness of a particular nut, called the *kāmiri*, and much skill, patience, and dexterity, are consumed in the selection and the strife. At other times the combat which is to decide the fortune of the parties, is between two paper kites ; the object in this

strife being the fall of the adversary by the destruction of its string. In a favourable day, fifty or sixty of these will be sometimes seen hovering over a Javanese city.

Other diversions, depending on the courage or ferocity of animals, and independent of play are common. Among the Javanese, the most interesting of these is the combat of the tiger and buffalo. The buffalo of the Indian islands is an animal of great size and strength, and of no contemptible courage; for he is an overmatch for the royal tiger, hardly ever failing to come off victorious in the fight with him. It must be confessed that there is no small satisfaction in seeing this peaceful and docile animal destroy his ferocious and savage enemy. Neither are possessed of much active courage; the tiger, indeed, is a coward, and fights only perfidiously, or through necessity. On this account, it is necessary to confine them within very narrow limits, and farther, to goad them by various contrivances. A strong cage, of a circular form, about ten feet in diameter, and fifteen feet high, partly covered at the top, is for this purpose constructed, by driving stakes into the ground, which are secured by being interwoven with bamboo. The buffalo is first introduced, and the tiger let in afterwards from an aperture. The first encounter is usually tremendous; the buffalo is the assailant, and his attempt is to crush his antagonist to death against the strong walls of the cage, in which he frequently succeeds. The tiger, soon convinced of the superior

strength of his antagonist, endeavours to avoid him, and when he cannot do so, springs insidiously upon his head and neck. In the first combat of this nature to which I was witness, the buffalo, at the very first effort, broke his antagonist's ribs against the cage, and he dropped down dead. The buffalo is not always so fortunate. I have seen a powerful tiger hold him down, thrown upon his knees, for many seconds; and in a few instances, he is so torn with wounds that he must be withdrawn, and a fresh one introduced. In nineteen cases out of twenty, however, the buffalo is the victor. After the first onset, there is little satisfaction in the combat: for the animals, having experienced each other's strength and ferocity, are reluctant to engage, and the practices used to goad them to a renewal of the fight are abominable. The tiger is roused by firebrands and boiling water, and the buffalo, by pouring upon his hide a potent infusion of capsicums, and by the application of a most poisonous nettle (*kāmadu*) a single touch of which would throw the strongest human frame into a fever.

Wild hogs, which are in vast abundance in Java, are ensnared and fought against rams and goats a ludicrous, but bloodless combat. The wild boar of Java is an animal of little ferocity, and not much strength.

A combat between two bulls, such as the people of Butan, and other countries to the north of Bengal, delight in, is a favourite exhibition among some of the people of the island of Madura. I have not heard that it is practised elsewhere.

Of games of exercise or amusement, displaying address or agility, the Indian islanders are not fond, and never excel in them. In all their exercises they would rather sit than stand, even where there is an obvious advantage in the latter position. If, for example, a chief amuses himself with the exercise of the bow and arrow, it is always sitting, and not standing, that he takes the diversion. A kind of foot-ball, called *separaga* is played by most of the tribes, but is not a favourite pastime.

When the monarch in Java, according to the custom of the east, shows himself once a week to his subjects, or the governors of provinces, in imitation of him, to their dependents, a kind of awkward tilts are exhibited. The Javanese are bad riders; their horses are clumsily, and badly, though often gorgeously caparisoned, and are too small in size to possess the strength and action necessary to make a fine display in a tournament. These Lilliputian justs, therefore, are a mock upon military exercises.

All the civilized nations of the Archipelago have long passed that stage of society in which the chase is pursued for subsistence. From the circumstances of the country, the probability indeed is, as has been pointed out elsewhere, that the progress towards civilization was not in general from the hunter state, but that of the fisherman. Some of the more abject tribes of savages, however, confined to the mountains and forests of the interior, while the fisheries of the coasts and rivers are in the occupation of powerful enemies, pursue the chase as the

principal means of subsistence. The negro races, which inhabit the interior of the Malayan peninsula, hunt the deer, the hog, the monkey, and all the animals of the forest, as the chief means of livelihood, and use poisoned arrows to destroy their game.

Of the civilized races who pursue the chase for amusement, the most celebrated hunters are the natives of Celebes, who are passionately fond of the chase.

Celebes, contrary to the more usual character of the other great islands, abounds in extensive grassy plains free from forests, which afford the proper cover and food for a variety of the best game, such as various kinds of deer, the wild hog and ox, which are not disturbed by beasts of prey; for in Celebes the tiger and leopard, which are plentiful in the western countries, do not exist. These plains are looked upon as the common property of the tribe to whom they belong, and are so jealously guarded from the intrusion of strangers, that it would be death to an alien to enter them. No sooner is the rice seed cast into the ground, than the chiefs and their retainers fly with enthusiasm to the sports of the field. Persons of all ages join in the diversion. A native, describing to me the ecstasy of the hunters on these occasions, observed, with the strongest allusion which their manners could suggest, that all care and anxiety were buried in the transports of the chase, a man then forgetting that he had a family, and that he was a father. A hunting party frequently consists of not less than 200 horsemen. A man of

sixty has been pointed out to me, who, on such occasions, has hunted down several stags in a day's chace. Although pretty strict Mahomedans, at such times they will not even disdain the pursuit of the wild boar, but follow him with ardour.

The chace is pursued on horseback. The horses of Celebes, though small, seldom exceeding thirteen hands high, are larger, and unite a greater share of blood and strength than any other breed of the Indian islands. They are regularly trained to hunt, and possess a considerable share of fleetness, and more of perseverance. They are not encumbered by any useless weight, being rode bare-backed, with a very slight snaffle bridle. The hunter is armed with a light spear, to the shaft of which is attached a moveable noose, and his principal aim is to cast this noose over the horns of the deer or wild bull. When he succeeds in entangling the animal, he leaps off his horse, and dispatches him with his spear.

The chace is followed in Java with less ardour and spirit, and with much less skill. The game has fled from the extensive plains of the central portions of the island, which are highly cultivated and highly peopled, to take shelter in the hilly country, where they cannot be pursued. Here, therefore, the chace hardly forms any portion of the amusement of the people. In the ill-peopled districts of the eastern and western extremities of the island, the chace is pursued on horseback as in Celebes, but the deer and wild hog are rather beset than fairly pursued, an attempt being made to surround their haunts by a

multitude of peasantry assembled for the purpose, while, on their appearance, they are bayed by dogs, and mangled with cutlasses.

The tiger is sometimes pursued by the Javanese with more skill, and in a manner peculiar to themselves. An extensive circle of spearmen is formed round the known haunt of a tiger, which is gradually contracted, until the animal, hemmed in on all sides, is compelled at length to attempt an escape by rushing through the phalanx of spearmen. In this endeavour he is commonly killed through the numbers and dexterity of the hunters, and the formidable length of their weapons.

An amusement of the same sort is often presented, *in a more comfortable manner*, before the Javanese sovereigns at their palaces, but from the superior number and dexterity of the spearmen, and the inferior courage of the entrapped tiger, it is attended with less risk. Among a great many exhibitions of this sort, to which I have been witness, I never knew an instance in which the tiger was not destroyed without the least difficulty.

The love of *dancing*, in a variety of shapes, is a favourite passion of the Indian islanders. It is somewhat more, indeed, than an amusement, often mingling itself with the more serious business of life. Dancing, as practised by them, is neither the art, as it exists among the savages of America, nor among the Hindus and Mohomedans of Western India. Like the latter, they have professed dancing women, who exhibit for hire; but, like the former, they occasionally dance themselves, and in public processions, and even more serious oc-

casions, dancing forms a portion of the solemnities.

Whatever be the occasion in which dancing is exhibited, it is always grave, stately, and slow, never gay nor animated. As in all Asiatic dancing, it is not the legs, but the body, and especially the arms, down to the very fingers, that are employed. Dexterity, agility, or liveliness, are never attempted. To the gravity and solemnity which belong to the inhabitants of a warm climate, any display of agility would appear as indecorous, as their stately and sluggish minuet dancing appears insupportably tiresome to our more volatile and lively tempers.

The dancing of the Indian islanders may be considered as of three kinds—their serious dances on public occasions—the private dances of individuals at festivities—and the exhibitions of professed dancers.

Of the first kind are the war dances of the people of Celebes. If a warrior throws out a defiance to his enemy, it is done in a dance, in which he brandishes his spear and kris, pronouncing an emphatic challenge. If a native of the same country runs a muck, ten to one but he braves death in a dancing posture. When they swear eternal hatred to their enemies, or fidelity to their friends, the solemnity is accompanied by a dance. There is a good deal more vivacity on these occasions than I ever saw exhibited on any other of the same kind.

All orders executed in the presence of a Javanese monarch, on public occasions, are accompanied by a dance. When a message is to be conveyed to the royal ear, the messenger advances

with a solemn dance, and retreats in the same way. The ambassadors from one native prince in Java to another, follow the same course when coming into and retiring from the presence of the sovereign to whom they are deputed. When the persons whose business it is to let the tiger loose from his cage into the hollow square of spearmen, as above mentioned, have performed their duty, and received the royal nod to retire, an occasion, one would think, when dancing might be spared, they do so in a slow dance and solemn strut, with some risk of being devoured by the tiger, in the midst of their performance.

Previous to the introduction of the Mohamedan religion, it appears to have been the custom of all the oriental islanders, for the men of rank, at their public festivities, when heated with wine, to dance. Upon such occasions, the exhibition appears to have been a kind of war-dance. The dancer drew his kris, and went through all the evolutions of a mock fight. At present the practice is most common among the Javanese, with every chief of whom dancing, far from being considered scandalous, as among the people of Western India, is held to be a necessary accomplishment. Respectable women never join in it, and with that sex dancing is confined to those whose profession it is. In the most crowded circle of strangers, a Javanese chief will exhibit in the mazes of the dance with an ordinary dancing girl, or, in other words, with a common prostitute. I have often seen the sultan of Madura, a most amiable and respectable prince, in this situation.

The dance at such times is nothing more than the slow and solemn pacing exhibited on other occasions.

The professed dancers differ little but in inferiority of skill, from the common dancing-girls of Hindustan. Those who have been often disgusted with the latter, will find still less to interest them in the former. The music to which the dancing is performed is, indeed, generally incomparably better than that of Western India, although the vocal part of it is equally harsh and dissonant. Now and then a single voice of great tenderness and melody may be found, but whenever an effort is made at raising it for the accommodation of an audience, it becomes harsh and unmusical. The songs sung on such occasions are often nothing more than unpremeditated effusions, but among the Javanese, to whom I am now more particularly alluding, there are some national ballads, that might bear a comparison with the boasted odes of the Persian minstrels.

The singular fact of the sovereign having, among the Javanese, the most beautiful and admired of his concubines instructed to dance, and their exhibiting their performance in public, accords with what I have stated respecting the condition of women among the Indian islanders.

The intellectual amusements of the Indian islanders consist of listening to professed story-tellers, or to those who make a business of rehearsing their written compositions, and of dramatic performances. The first will be described in another part of this work. The last deserve a par-

ticular description in this place. The Javanese are the inventors of the Polynesian drama, and throughout the Archipelago are celebrated for their skill in it. As the rudest and earliest efforts of the stage, and as affording interesting elucidations of the character and manners of the people, these exhibitions deserve a degree of attention which they are far from meriting on their own account.

Among the Javanese there are no dramatic writings; there is no stage, and no attempt at scenic deception. The acting is of two kinds, in equal esteem among the people themselves, one consisting in the performance of living actors, and the other in that of puppets. The first sometimes exhibit without masks, but much more frequently with them. They are invariably men, for women never perform. The second are of two kinds, one consisting of ordinary puppets, much inferior in ingenuity to those among ourselves, and the other of certain scenic shadows, which are peculiar and national. These last are monstrous and grotesque figures, of about twenty inches long, cut out of a stiff untanned buffalo hide, and commonly very highly gilt and painted. In the representation they are moved by the prompter behind an oblong screen of ordinary white cloth, rendered translucent by having a lamp suspended behind.

All their acting may be considered as a kind of pantomime, for, even in the most perfect exhibitions, there is little dialogue. Each player does not study his part, or, at least, get it by heart; but the little he says he furnishes

unpremeditated, as his recollection of the story, or his fancy, may assist him.

The great mover in the drama, whether mock or real, is the prompter, or *dalang*, as he is called in the native language. This person's office is very inadequately described by calling him the prompter; he is the soul of the whole drama, and his functions are better depicted by comparing him to our ancient bards or minstrels. He sits full in front of the audience, holding before him one of the common metrical romances, from which, in the chaunting accents of the East, he repeats, before the interlocutors commence acting, the narrative of what they have to perform. This practice he perseveres in from the beginning to the end of the play. He does the same thing with the scenic shadows, seldom venturing, however, to furnish a dialogue for the puppets.

From this account of the Javanese drama, it will be easily seen that a play, or piece, is not intended to be a skilful and interesting representation of the real business of the world, or of human passions, enjoyments, and sufferings, but the simple and artless relation of a common tale, some of the most prominent adventures of which are dramatized in the representation, while the principal stream of the narrative is conducted by the relation of the bard.

The acting, consistent enough with the manners of the people, is heavy and monotonous. There is no life nor action in it, and nothing natural. The players dance instead of walking, and when they speak, it is in a counterfeit and

fictitious tone of voice, hardly, in short, in the accents of human beings. Their dresses are characteristic and proper, generally in the ancient costume of the country, suitably to the parts they have to perform. A full band of Javanese music, in the manner of a chorus, constantly accompanies every kind of acting.

The subjects of the Javanese drama are the Hindu legends of the Ramayana and Mahabarat, and those of the fabulous periods of their own history. The empire of custom, so arbitrary among all barbarians, renders it a rule not to be transgressed, that the performance by scenic shadows should be confined exclusively to the representations of Hindu story; the true acting to the most ancient portion of their own legendary history, and the ordinary puppet-show to the more modern.

Besides the more regular dramatic entertainments now alluded to, there are two others occasionally introduced, in the manner of interludes, between the scenes of the more regular performances, which afford more amusement to the stranger. One is an exhibition of buffoonery, which I have seen so well acted as to afford much merriment. The only personages who can be facetious, by the rules of the Javanese drama, are *Sāmar* and *Bagong*, the redoubted friends and servants of Arjuna and Rama. The acting of the persons who represent these characters is less constrained, more bustling, and more natural than that of any others. So much drollery is frequently displayed as to convince us that the Javanese have consi-

derable comic powers; and that, if the sphere of their acting were enlarged, and their talent cultivated, they might make excellent comic actors.

LANGUAGE AND LITERATURE
OF JAVA.

(*From the Same.*)

OF all the languages of the Indian Islands, the most improved and copious is that of the Javanese. It is written in a peculiar character, of great neatness, which extends to the language of the Sundas, the Madurese, Balinese, and people of Lombok, and, in comparatively recent times, along with the parent language, made some progress in Sumatra and Borneo. It is confessedly formed on the principles of the Sanskrit alphabet, but, unlike some other languages of the Archipelago, it has not followed the well known and artificial classification of that alphabet.

The Javanese alphabet, as it relates to its own language, comes up to the notion of a perfect character, for it expresses every sound in the language, and every sound invariably with the same character, which never expresses but one. From this excellence of the alphabet, it follows, that the language is easily read and written, and a false or variable orthography, so common in European languages, is seldom discovered, even among the unlearned. In splendour or elegance the alphabet of the Arabs and Persians is probably superior to that of the Javanese; but the latter, it may be safely asserted, surpasses in beauty and

neatness all other written characters.

All the languages of the Archipelago are singularly simple and inartificial in their structure, and the Javanese partakes of this common character, though it be perhaps on the whole the most complex and artificial in its formation.

The noun admits of no variation in its form to express gender or number, which are effected by adjectives, as the first is in our own tongue. One simple inflection represents the genitive case, and the other relations are expressed by prepositions; nay, even the prepositions, in situations where they could not be dispensed with in other languages, are omitted, and the sense left to be made out from the context, a practice very consonant to the genius of the language.

The adjective is still more simple in its form than the noun, admitting of no distinction of gender, number, or case, and seldom of any change by comparison.

The pronouns are equally invariable in their form. Their position before or after a word determines them respectively to be pronominal or adjective. Those of the first and second person are very numerous. There is none at all of the third, except in a possessive form. Now and then the word self is vaguely so used.

The verb, like that of other languages, may be divided into active and neuter. There is but one mood, the imperative, determined by any change in the form of the verb. The rest are left to be understood by the context. The simple form of the verb ex-

presses present time, one auxiliary a perfect past, and another an indefinite future, and these are all the tenses of a Javanese verb. With the characteristic brevity, or rather looseness, which belongs to the language, even these signs of the tenses are often omitted, and the meaning left to be gathered from the context.

The most perfect portion of the verb is the passive voice, unless we except the processes by which verbs are changed from intransitive to transitive.

The most complex and artificial processes of Javanese grammar are those by which one part of speech is formed from another. Most of the parts of speech admit of being changed one into the other, even with a degree of versatility beyond that of our own language. This is most commonly effected by prefixing or affixing inseparable particles, or both; but it not unfrequently happens, that the same word, in its primitive and most simple form, is used for several different parts of speech—a practice which particularly obtains in the spoken dialect, the more formal language of composition being usually somewhat more artificial in its structure.

The Javanese language is not less remarkable for its copiousness in some respects, than for its meagreness and poverty in others. In unimportant trifles, it deals in the most puerile and endless distinctions, while, in matters of utility, not to say in matters of science, it is utterly defective. These characters of the language belong to the peculiar state of society which exists among the people of Java, which I shall en-

deavour to illustrate, by entering at some length upon the subject.

There are two sources of copiousness in the Javanese language, one resulting from the natural tendency of this language, and perhaps of most other semi-barbarous tongues, to degenerate into redundancy, and the other from political causes. In the first case, it descends to the slenderest ramifications of distinction, often more resembling the elaborate arrangements of science than the common language of the world. It wantons in exuberance, when species, varieties, and individuals are described—while no skill is displayed in combining and generalizing. Not only are names for the more general abstractions usually wanting, as in the words fate, space, nature, &c. but the language shows the utmost deficiency in common generic names. There are, for example, two names for each of the metals, and three for some; but not one for the whole class—not a word equivalent to metal or mineral. There exists no word for animal, expressing the whole class of living creatures. The genera of beasts, birds, insects, and reptiles are but indifferently expressed; but for the individuals of each class there is the usual superfluity, five names, for example, for a dog, six for a hog and elephant, and seven for a horse.

The disposition to generalize which appears in every polished language, and so discoverable in the structure of almost every sentence, is, in short, a stranger to the Javanese. It is fitted for the language of pure description, of the passions, or of familiar life, but wholly defective when any degree of subtlety or abstraction

is implied, as may well be expected in the language of a simple and semi-barbarous people.

It is, of course, on familiar occasions, that the minute and painful redundance of the language is most commonly displayed. The various postures or modifications of position in which the human body can be placed, not only for ease and convenience, but from whim or caprice, are described in a language so copious, that the anatomist, the painter, or the statuary, might derive assistance from it. There are with the Javanese ten ways of standing, and twenty of sitting, and each has its distinct and specific appellation. To express the different modifications of sound there are not less than fifty words. In such cases the ramifications of meaning are expressed by distinct words, and the nicer shades by changing the broader vowels for the slenderer ones, the greater intensity being expressed by the first, and the lesser by the second. Thus, *gumrot* means the noise of a door on its hinges, while *gumret* and *gumrit* mean the same thing, each in a less intense degree.

The great source of copiousness in the language, however, is that which springs from the fabric of society, considered in a political view. This peculiarity of the language runs to so great an extent, that speech is in fact divided into two dialects, the ordinary language, and one invented to express deference and respect. This distinction by no means implies a court or polished language, opposed to a vulgar or popular one, for both are equally polite and cultivated, and all de-

pends on the relations in which the speakers stand to each other, as they happen to be inferiors or superiors. A servant addresses his master in the language of deference, a child his parent, a wife her husband, if there be much disparity in their ages, and the courtier his prince. The superior replies in the ordinary dialect, the language still affording modifications and distinctions, according to the rank of the person he addresses, until that rank rises to equality, when, if no intimacy subsists between the parties, the language of deference is adopted by both, or when, if there does, ceremony is thrown aside, and the ordinary language becomes the only medium of conversation. An extensive acquaintance with the language of deference is held a mark of education and good breeding. With persons who frequent a court, or are in habits of intercourse with the great, the phraseology is refined and copious; but of the ordinary peasant, it may be well believed that the vocabulary is meagre and confined.

In the formation of the Javanese language of deference, the aim is to avoid what is ordinary or familiar, as equivalent to what is not respectful. In a few words of rare occurrence, and not familiar by use, no change is effected. Recourse, in other cases, is had to the recondite language of literature, which is equivalent to the Sanskrit; thus *estri*, *putro*, *suryo*, *chondro*, are the respectful terms for a woman, a child, the sun, and the moon. When it happens, however, that, by frequent use, a Sanskrit word melts into the common idiom, a new proceeding is followed. Thus we have *kan-*

chono, gold, converted into *janne*, the yellow object, and *sälöko*, silver, into *pettakan*, or the white object.

Sometimes the word used in the language of deference is an entire synonym differing in sound and orthography, as, for *gawe*, to do, *damäl*; for *turon*, to sleep, *sare* or *tilam*; for *watu*, a stone, *selo*; for *dalan*, a road, *märgi*; and for *bali*, to return, *wangsul*.

The most frequent mode of all is by effecting a slight orthographical change in words of the ordinary language. These changes are not wanton or capricious, but subject to a fixed principle capable of being reduced to rule. A termination in *s*, in *ng*, and in *tan*, is respectful, and it is respectful always to change a broad sounding vowel into a more slender one. *Maricho*, pepper, becomes by this rule *mariyos*; *priyayi*, a chief, *priyantan*: *kayu*, wood, becomes *kajang*; *Jowo*, Java, becomes *Jawi*; *kulon*, the west, becomes *kilen*; and *lor*, the north, becomes *ler*.

Even the names of places are, in the most provoking and puzzling manner, subjected to the same changes. Often these are entire synonyms, and still more frequently literal translations of the compounded words, of which the names of places so often consist. In writing to a superior, for example, it would be thought ill-bred to use the usual words *Cheribon*, *Gärsik*, or *Solo*, for the names of these towns. The inferior would call them respectively *Grage*, *Tandas*, and *Surakarta*: and were he to write *Bauyumas*, or the country of the golden water, the name of a beautiful province of the island, he would call it *Toyojanne*, which

means just the same thing; while a still higher stretch of complaisance might induce him to give it the Sanskrit name of *Tirto-kan-chono*.

There are no bounds to the little ingenuity of flattery and adulation on this subject. Even the peasant exercises himself in it, but his efforts are often unsuccessful; and I have sometimes seen a smile excited in the chiefs, by the awkward flattery of their dependents. Some words are so stubborn as not to yield to the rules of this political grammar, and the result is, an awkward combination of letters. On such occasions, the native princes will condescend to issue a dispensation in their behalf; for such subjects are, with them, matters of interest and moment.

Sounds, in the Javanese language, have often an analogy to the sense, as in other languages. It is not enough, indeed, that this analogy is preserved; the language often aims at stating the degree of it, by the use, according to circumstances, of the broader or weaker vowels, or by adopting liquids in some cases, and harsh consonants in others. The Javanese writers delight in an assemblage of such words, when they attempt subjects of awe or terror; and, no doubt, they must have a powerful effect on the ear of a native.

The Javanese language, in common with every other language of the Indian Isles, does not abound in figurative modes of expression; such as have, by some, been imagined to be characteristic of the language of all barbarians, and especially of those of the East. Nothing indeed, can be more adverse to the

genius of the Javanese than a figurative and hyperbolical style. We see, indeed, a good deal of this in the poetry borrowed from the Hindus of Western India; but the observation now made strictly applies to writings purely Javanese, to their epistolary correspondence, and to the language of verbal narrative, and ordinary conversation.

The few examples of words used figuratively are plain and obvious, and probably exist in almost every language—as foot for base, head for chief; vegetable root, for source or origin; high and low, for moral superiority and inferiority; heat, for anger; little, for low in rank, and great for high in rank. Sometimes these figurative words take a more characteristic and amusing form. From the word *wajah*, to wash clothes, for example, we have *wajah*, to discipline a child; from *lätta*, turbid water, we have the same word meaning confusion, disturbance, anarchy; from *liwar* to break loose, we have *liwar*, a strumpet; from *säbbal*, to quit the highway on a journey, we have *säbbal*, to disobey a parent; from *gäbbung*, the grasp of the forefinger and thumb, we have power, authority; and from *gäbbal*, the dust or filth that adheres to the feet in walking, is too obviously derived the same word, meaning a menial, or servant.

Comparisons and similes, used as ornaments of composition, are pretty common. Not unfrequently the allusion is extremely absurd and ridiculous; at other times, though quaint and singular, it is appropriate. A prince rendering an account of himself in a foreign country, is made to say

that he is “a wanderer without a home, like a paper kite without a string, which is driven to and fro by the caprice of the wind;” or that he is “like dust driven by the wind;” or “a grain of rice-seed cast from the hand of the husbandman.” In such similes, however, there is no variety; and without invention or ingenuity, we see the same stale comparisons used, upon similar occasions, by every successive writer, and even by the same writer in the same composition.

The derivation of the language will be treated of at such length in the chapter on the character and affiliation of the East insular languages, that it would be superfluous to say much on the subject at present. Suffice it to state, that, to the original meagre stock of the rude tribe from which the Javanese nation sprung, has been superadded, at different epochs of its history, a proportion of the great Polynesian language of Sanskrit, and of Arabic. The introduction of the latter is a matter of historic record; the circumstances of the second of rational induction, from strong presumptive and collateral argument; but those of the first are buried in the darkest, and, it may be suspected, in nearly impenetrable obscurity. Such are the four great components of the modern Javanese; and if we add to them a few trifling and almost adventitious words of modern Persian, Telinga, Chinese, Portuguese, Dutch, and English, the analysis is complete.

The literature of the Javanese is of three different descriptions: that which has been borrowed from the Hindus; that borrowed from the Arabs; and that which

is native, or indigenous. The portion borrowed from the Arabs is inconsiderable, and will not demand much consideration.

All other Javanese literature is, like that of every rude people, metrical; the plain and simple reason for which seems to be, that all composition being oral before it was written, would naturally be poetry, to assist the memory — not to say that to amuse the fancy, and awake the passions, of which poetry is the natural language, and not to satisfy the reason, is the main object, in such cases, with all barbarians. When the use of letters is first acquired, oral composition is, from habit, committed to writing unaltered, while the circumstances of the society continuing unchanged, and amusement, not instruction or utility, continuing the chief object of men, the practice is necessarily persevered in. To this day, the songs of the Javanese peasants, who can generally neither read nor write, are in the same peculiar measures, and on the same subjects, which we find described in their literary compositions. From this cause it is that poetry with every people precedes prose, and that poets attain celebrity for ages before prose writers are heard of. Making ample allowance for the generous and manly genius of European nations on the one hand, and for the feebleness, incapacity, and puerility which has ever characterised those of Asia on the other, the Javanese are, at this moment, in the same state of advancement in literature that the Greeks were in the time of Homer, and the Caledonians in that of Ossian; bating the accidental advantage, in the instance of the

former, of an earlier knowledge of writing, with the use they have made of it, perhaps in this case, but a dubious one, when it is recollected that the tameness of writing is substituted for the animated declamation of oral delivery.

Like many nations who have made some progress in civilization, the Javanese are found to be possessed of an ancient and recondite language, in which are buried some relics of their ancient literature and religion. This language the Javanese term *Kawi*, which, in their acceptation of it, means *refined*, as opposed to the ordinary, or *popular* tongue. The words *Kawi* and *Jowo*, or rather *Jawi*, from the language of deference, here adopted for the rhyming termination, always so agreeable to a rude ear, are correlative terms.

The *Kawi*, in its simplicity of structure, resembles the Javanese, but it has a greater variety and range of consonant and vocalic sounds than the popular language, is harsher in its prosody than what we expect in the genius of the soft tongues of the Indian islanders, and seems, in short, to have in this particular a foreign air. In its composition it abounds in Sanskrit words to a degree unknown in any other language of the Archipelago, and these in a degree of purity also beyond the rest, an advantage secured to it by a more copious alphabet. At the same time it contains many essential words of the modern language of Java.

The opinion I am inclined to form of this singular language is, that it is no foreign tongue introduced into the island, but the written language of the priest-

hood, to whom it is probable, in early times, the use of letters was confined. What would be the effect of confining the literature of a people to a cast or order, may, in some measure, be judged from the effect which a similar state of things produced in literary composition in our own country, at a time when professed writers adopted an affected and obscure language, hardly intelligible to us at present, and which even then differed so widely from the language of business and the world. If we advert to the fact, that that particular order was the priesthood, of the Hindu religion—of a religion which loves to veil its doctrines and precepts in the darkest and absurdest language, and of which a foreign and dead tongue is the sacred text—we may be prepared to explain the singular fact of the *Kawi* differing so widely from the present Javanese, or even from the most ancient specimens of the ordinary speech of which we are possessed.

All *Kawi* composition is in verse, and this verse formed on the principle of Sanskrit prosody, that is to say, not rhyming measures, such as belong to all languages simple in their grammatical form, but such as is found to belong to original languages of complex structure. This will appear to the European reader something like the attempt to impose the fetters of Latin prosody upon the modern language of Europe, in the shape of blank verse. The only compositions in the *Kawi*, which it is worth while adverting to in this place, are epitomes of the *Mahabarat* and *Ramayana*; the latter preserving its name unaltered, and

the former recognised under that of the *Brata-yuda*, or war of Barat. These works, which in India are not only the first of literary compositions, but have also the authority of scripture, are the sources of the principal mythological knowledge of the Indian islanders, as connected with the literature, religion, and superstitions of Hindustan.

Absurd as these two works generally are, a brighter passage may now and then be selected; and they display a comparative vigour of fancy and force of intellect, which places them, as poetical compositions, far above the utter inanity and childishness of more modern works.

Javanese poetry, contrary to *Kawi* verse, is in a peculiar rhyming stanza, of which there are a great many varieties. No language, I believe, affords a parallel to this strange kind of measure, and, therefore, I shall offer a brief account of it. A stanza consists of a limited and given number of lines, or rather pauses, each of which must invariably and unalterably consist of a given number of syllables, and terminate in the same rhyme, which rhyme must be a broad or slender vowel, it being indifferent what its sound be, provided the arrangement into these two classes be attended to. To give an example, the stanza called *Durmo* consists of seven pauses, the first ending in the broad vowels *o* or *u*, and consisting of twelve syllables; the second in *e* or *i*, and consisting of seven syllables; the third in *o* or *u*, consisting of six; the fourth also in *o* or *u*, and having seven syllables; the fifth in *e* or *i*, consisting of eight syllables; the sixth in *o* or *u*, consisting of

five syllables; and the seventh of slender vowels, consisting of eight syllables.

It is not easy to understand from what principle this fantastical measure could have had its origin, for it is not to be supposed that the rhyme, which is not repeated until at the interval of seven lines or pauses, as in the instance quoted, and of others at an interval of nine or even ten, should still hang upon the ear, and be remembered.

A Javanese poem of any length does not uniformly consist of the same measure throughout, for the different measures are supposed to be most appropriate to particular subjects; hence, they are varied as the subject is grave or lively, expresses love, hatred, peace, war, or negociation.

The trammels of this description of verse give rise to the necessity of ample prosodial licences. Sometimes the first, or even the two first syllables of a word are omitted, and at other times as many are added to eke out a line, and obtain a rhyme producing a very ludicrous effect, as in several of the worst of our own old ballads. In short, sense is as often sacrificed to sound in the poetry of the Javanese, as in that of any people on earth.

An account of Javanese literature is curious, and even important, as it tends to throw light on the history of society in general, and more particularly on that considerable portion of the species which is contained in Java itself, and the other countries of the Indian Archipelago; but if the reader expects to find in the literature of Java any merit worthy the attention of the European scholar, he will be utterly dis-

appointed. He will discover in it neither sublimity, pathos, tenderness, nor humour, but, on the contrary, bombast, puerility, or utter inanity, in literature, the very stammering of infancy without its interest or amusement.

Javanese literature may be divided into lyrical compositions, or songs; romances founded on Hindu legends; romances founded on native story; histories of modern transactions; legal and ethical tracts, chiefly in prose; and compositions, chiefly on matters of jurisprudence and religion, founded on Arabic originals. Of these I shall say a few words in their turn.

Of all these, to my taste, the best are the simple songs, for they are the most easy and natural. The simplicity of the subject deprives the writer of all opportunity of wantoning in that inflated extravagance which he indulges on other occasions.

Of romances, founded on Hindu story or mythology, I have already said a few words in speaking of the obsolete and recondite language. Translations of various merit or demerit of the *Brata-yuda* and *Ramayana* exist in modern Javanese; and from the latter, in particular, a great many compositions are fabricated, detailing the various adventures of Rama. One advantage the Javanese epics have over the Sanskrit originals, they are free from their tiresome prolixity; and I have no doubt that a spirited version of the *Brata-yuda* would give less dissatisfaction to the European reader, than the most skilful one of the Indian original.

The most abundant class of compositions are the romances founded on native story. A prince

of Java called Panji is the hero of the greater number. From inscriptions, this prince is ascertained to have reigned in the eastern extremity of the island, not more than 500 years back. A period which, with more civilized nations, would afford matter of historic record, is by the Javanese, the era of fabulous legend, and unfathomable obscurity. Not a single fact of the true history of the prince in question, or of the country in which he reigned, is handed down to us. What is most singular, in all performances of this class, however, is their unaccountable feebleness and utter want of ingenuity, beyond, indeed, that of all other semi-barbarians. Notwithstanding this, they are suited to the taste of the people, and, and are not only popular in Java, but have been translated into the Balinese and Malay languages, in which they are favourite performances.

Previous to the introduction of Mahometanism, the Javanese made no attempt to write history, and were as ignorant of chronology as the Hindus, with whom they were so intimately connected. The Mahometan religion brought with it, as it did in India, a more manly and sober style of thinking, and since the era of that conversion, we are possessed of a tolerably connected and circumstantial narrative, improving in credit and in approximation to common sense as we descend.

Even yet, however, history is considered rather an object of amusement than of utility and instruction. Like most other compositions it is written in verse, and a constant attempt is made

to give every transaction, even the most common, an air of romance—to make in short a tale of it. A common-place conversation, for these are most circumstantially narrated, is delivered in solemn and laboured measure; and the petty action of a Javanese chief with the Dutch East India company, becomes an ambitious imitation of one of the battles of the Mahabarat, or of the combats of the god or hero Rama with the giant Rawana. Facts are often accurately, and even circumstantially narrated; but whenever there is an opening for the marvellous, it is sure to be indulged. In offering examples of Javanese historical writing, I shall endeavour not only to select such passages as will illustrate the remarks I have now made upon it; but, in making that selection, instead of indiscriminate extracts, choose the best, with the hope of avoiding the offence of tiring or disgusting my readers.

One of the most singular and extraordinary characters of Javanese, or indeed of any story, is a person called Surapati, a native of Bali, and the slave of a Dutch citizen of Batavia, who raised himself from that abject condition, in spite of the native and European governments, to sovereign authority, and maintained it until his death. His immediate descendants were defeated by the Dutch, and despoiled of the territory, while the body of the founder was taken up and treated with ignominy. The following is the Javanese account of this vile transaction, in which is discoverable that strange union of the true and the marvellous,

which is so characteristic of the intellectual state of the Javanese :—

“ The commissary remained long at Pasuruhan, making diligent search for the body of Surapati, but it was not to be found. He was distressed at this, and said to the inhabitants, ‘ I will reward whoever finds for me the body of Surapati.’ Those people forgot their lord, and accepted the proffered bribe. The commissary was shown the spot where was the chief’s grave, but it was level, and no one could discern it was a tomb. The body was dug for and found. It was still entire as when alive, and shed a perfume like a flower garden. The Hollanders bore it away to the camp, and placing it in a sitting posture in a chair, the officers took the corpse by the hand, saluting it according to the custom of their country, and tauntingly exclaiming, ‘ This is the hero Surapati, the mighty warrior, the enemy of the Dutch.’ After this they threw the corpse into a great fire, and burnt it to ashes, and the ashes they took and preserved. The commissary rejoiced in his heart at all this.”

MANNERS OF THE PALERMITANS.

(*From Hughes’ Travels in Sicily, Greece, and Albania.*)

We beheld the classic shores of Sicily on the 1st of May. It was a fine evening in this delightful season of the year when we cast anchor in the bay of Palermo. The land-breeze wafted fragrance from the orange groves in its environs ; the sea was covered even to the horizon, with innumerable

little vessels, whose white triangular sails, crossing each other to catch the gale, seemed like the extended pinions of aquatic birds ; whilst the deep radiance of the setting sun gilded the fantastic summits of that grand semicircle of mountains, which surround the “ *conca d’oro*,” that “ golden shell,” in which Sicilian poets represent Palermo as set like a beauteous pearl. In these delightful retreats, which rival even the shores of Parthenope, we were fortunate enough to land just before news arrived of the plague in Malta, by which means we escaped the tedious intervention of quarantine.

Palermo has been so often and so well described, that I need not enter into a particular detail of its beauties. It is a city worthy of the fine island of which it is the capital ; it is divided into four parts, by two long streets, terminated with lofty gates, and forming, at their intersection, a fine piazza, called the “ *Quattro Cantoneri*.” It contains many superb edifices, profusely adorned with native marbles, amongst which the following deserve particular observation :—The College of the Jesuits, at this time used for the session of parliament ; the Cathedral, whose oriental gothic outside puts to shame its modern interior ; and the Royal Palace, to which a curious chapel is attached, in the arabesque style, covered from top to bottom with rich mosaic.

The island, though at this time menaced with invasion by a strong force upon the Calabrian coast, was secured from all the horrors of war by a protecting British army ; and as Palermo was the residence of those Neapolitan

nobles who had fled with Ferdinand, few capitals in Europe could vie with it in splendour; though it must be confessed, this splendour was chiefly external, for the prime comforts of domestic life, as well as the pleasures of refined taste and rational society, were lamentably sacrificed to vain parade and ostentatious decoration: ambitious poverty was preferred to elegant economy, and the appearance of happiness to its reality. Thus, though the public promenade of the Marina glittered every evening with its costly equipages and gaudy liveries, many noble mansions exhibited most disgusting scenes of penury and meanness. A few families, however, ought, in justice, to be expected from this general censure: that of the prince Grammonte, in particular, appeared a pattern of conjugal virtue and domestic felicity: its members were sensible, well-informed, and polite; educated in the English system, and able to converse in our language with nearly as much fluency as in their own: the same encomiums will apply, in every particular, to the family of the duke di Sangro; and I should be very much wanting in gratitude, if I omitted to mention the continuance of that genuine hospitality in the prince Butera, which so many Englishmen have experienced, in happier times, at Naples.

Painful as it was to remark the extreme imbecility of the reigning family, the dissolute morals of the nobles, the perversion of justice, the iniquity of the laws, and the general venality and corruption, in a country which requires only the co-operation of man with the bounty of Providence,

to make it a Paradise upon earth, it was still gratifying to an Englishman to observe the efforts made by Great Britain to recover this ally from such a state of national degradation. By her influence Ferdinand had resigned the authority, though he retained the name of king: the queen, who had too long indulged in the most atrocious acts of tyranny, and connected herself with the interests of Buonaparte,* waited only for a favourable wind at Marsala to quit for ever the Sicilian shores; whilst the hereditary prince, glad to purchase present power at the expense of future privilege, consented to adopt the representative system of government. In this state of things the experiment of a political regeneration was attempted; but the pure blood of the English constitution refused to mix with the corrupt mass of the Sicilian state; and it was found impracticable to engraft an enlightened code of laws upon a nation immersed in ignorance, superstition, and immorality. Whether it is necessary that the constitution of a state, like that of the human frame, should grow up by degrees

* Several conspiracies were detected at Messina, in which she was clearly implicated, for delivering up the citadel and flotilla, and betraying our army to the French. In the last of these her correspondence was disclosed with the chief officer of police in Messina, called the captain of justice (*capitano della Giustizia*). This agent of hers was tried by a jury of his own countrymen, condemned, and hanged. At the place of execution the poor man made loud lament, complaining bitterly of his hardship in suffering the punishment of death for executing the commands of his own sovereign, whom he thought it his duty to obey.

to strength, and pass through the stages of infancy and youth before it arrives at the maturity of manhood, it is difficult to determine: but it would seem that both political and moral constitutions owe many of their characters to physical causes and the peculiarities of climate; and though it would be wrong to yield so far to the doctrine of temperament as to measure national virtues and vices by parallels of latitude, yet such is found to be the ardent and inflammatory temper of the more southern tribes, that they seem absolutely to require the strong coercion of monarchical power, whilst the popular deliberative assembly seems better suited to a northern atmosphere, where no violent ebullitions of passion destroy the dignity of debate, or excite measures of impulse rather than of reflection.

In the moral as well as in the natural world there is an inexhaustible variety of good, which constitutes perhaps the greatest charm of existence; and, though it must be confessed, that no form of government has ever been devised, so admirably calculated to secure the blessings of social order as the British constitution, yet it does not follow that the rights of civil liberty may not be secured by a different organization of power more adapted to the peculiar character of a people. Be this as it may, no words can describe the scenes which daily occurred upon the introduction of the representative system in Sicily. The house of parliament, neither moderated by discretion nor conducted with dignity, bore the semblance of a receptacle for lunatics, instead of

a council-room for legislators; and the disgraceful scenes so often enacted at the hustings in England, were here transferred to the very floor of the senate. As soon as the president had proposed the subject for debate, and restored some degree of order from the confusion of tongues that followed, a system of crimination and recrimination was invariably commenced by several speakers, accompanied with such furious gesticulations and hideous contortions of countenance, such bitter taunts and personal invectives, that blows generally ensued: this was the signal for universal uproar; the president's voice was unheeded and unheard; the whole house arose, partisans of different antagonists mingled in the affray, when the ground was literally seen covered with combatants, kicking, biting, scratching, and exhibiting all the evolutions and manœuvres of the old Pancratic contests. Such a state of things could not be expected to last a long time: indeed this constitutional synod was dissolved in the very first year of its creation, and martial law established. The fault of the British government seems to have consisted in this, that it went too far for the furtherance of tranquillity, and not far enough for the security of civil liberty: it endeavoured to make a representative government amalgamate with feudal rights, ecclesiastical privileges, and a wretched system of bigotry and intolerance: either it ought to have first levelled these obstructions before it built up the sacred edifice of freedom, or have contented itself with introducing some practical reform into the established system of Sicilian

legislature ; for instance, it might have obliged the nominal authorities to correct their worst abuses, to abolish certain rights and tenures relating to the non-alienation of land, to reform the police, the courts of justice, and the iniquitous tribunal of patrimony, to destroy monopolies, and abrogate the odious corn-laws, which not only deprive the agriculturist of his fair reward, but press upon the people more heavily than those of the Romans under the administration of the infamous Verres : these, or some of these advantages might have remained to our unfortunate allies at the conclusion of the war, whereas that constitution, so beautiful in theory, which rose at once, like a fairy-palace, to perfection, vanished also like that baseless fabric without having left a trace of its existence.

The amusements at Palermo appeared to us very insipid. The opera, which was once considered a school of music, owed now its principal attraction to the talents of an *English lady*, who sustained the post of Prima Donna. The orchestra was respectable, and contained many amateurs, who volunteered their services. The same piece repeated nightly to disgust, is sometimes varied, it scarcely can be said relieved, by the introduction of a tragedy, in which rant and declamation take the place of feeling and expression : the only thing that seemed worthy of imitation was a classical attention to the unity of place : the scene being rarely changed, is carried on without any interruption of a green curtain, or dissipation of ideas by musical interludes between the acts. Annexed to the

opera-house is a fine suite of rooms, called the *Conversazione*, though from it all conversation seems banished by universal consent : it is, indeed, a temple over which the joint demons of gambling and intrigue preside, and on that account is a very favourite resort of the Sicilian nobility and gentry : here, if the husband loses his money at the gaming-table, Signora may recover it by the sale of her charms ; for in no country upon earth does a man bear the burthen upon his brows with greater patience : immorality, in this point of view, is at its height, and though immodesty does not shock the stranger, as in more northern cities, by daring with unblushing front the public gaze, yet her pandars meet you at every corner of the street, and are scarcely less disgusting to a mind not totally devoid of sensibility and moral principle. Notwithstanding this representation, I think the female sex in Sicily, with regard both to manners and morals, are superior to the men, to whom indeed the greatest part of their vices are attributable ; for as soon as one sex disregards virtue, the other will rarely be at any pains to keep it : much mischief also is deducible from the faulty education of their girls within the gloomy unsocial cloisters of a convent, from the restraints of which they rush at once into a deceitful world without the guidance of example or experience, with few accomplishments either useful or ornamental, but with minds imbued in all the frivolities of superstition, eager only to make themselves compensation by a surfeit of pleasure for that time which they have spent without any enjoyment at all. In-

tellectual acquirements indeed are considered quite superfluous, where the only end of a woman's being is to dispose of herself in marriage; and as marriage is made a matter of traffic, all ideas of mutual attachment, all that refinement which dignifies the institution is totally unknown: a young lady of high rank in Palermo was offered to my friend with less ceremony than a horse or a parcel of ground would be submitted to a person desirous to purchase. Both men and women are ill dressed, and appear still worse to an Englishman who sees the old cast-off fashions of his country revived here in the highest circles: in their address, they use that profusion of compliments to which the Italian language is so disgustingly accommodated: they are easy of access, civil to foreigners, and ready to devote their whole time to their service; though time, by the bye, is a possession to which they attach the least possible value. From the defects of their education proceeds that degrading familiarity with inferiors which is too prevalent amongst the higher classes. I have seen a Sicilian nobleman, a court favourite, and superintendant of a royal palace, seated in an old chair at his own door between his cook and butler, to enjoy a social chat in the cool of the evening. I have also seen the head servant in a family of the first rank help to entertain his master's guests by his skill at billiards in the morning, and by his powers of conversation at the dinner-table, where he stood to carve the meat: no very high estimate of manners will be formed where both sexes spit without ceremony upon the floor of a

drawing-room, and carry off in their pockets confectionary and other relics of a dinner.

Literature and science are at a very low ebb in Sicily, chiefly through want of encouragement, for I believe the people are not deficient in native genius: the Latin language is still cultivated with some success, but the Greek is almost an unknown tongue: amongst the literati I met with more antiquarians than scholars, and more pedants than either. The middle and lower classes are generally kept in good humour by festivals and processions, or now and then a lottery, for they love gambling as well as their betters; give them these amusements, with bread and iced water, and the care of politics will scarcely ever spoil their sleep or digestion. The management of the lottery is admirably calculated both to stimulate cupidity and to disappoint it. The capital prizes are held up to public view, like the pictures of a show, disposed in figures formed of Spanish dollars, representing a ship, a lion, sun, a star, or any other device: the grand prize this year was an allegorical representation of the new constitution, which in the end turned out quite as delusive to the people as its prototype, for all these valuable lots invariably find their way, by some fatality or instinct, into royal pockets. A hundred tickets, neatly rolled up in very small bits of paper, are sold at the low price of one dollar; thus, for a very trifling sum, a person may keep his mind in a state of pleasurable excitement during the whole day. As for the superstition of the lower orders, it is extreme; in many instances turning

to infidelity, in others to a vile debasement of intellect, and in some to downright blasphemy; for instance, the devil is very commonly invoked as a saint, and the public-houses hang out for a sign of invitation, not the chequers or a Turk's head, but the extraordinary phrase of "Viva la Divina Provvidenza,"—"Long life to Divine Providence!"

Inebriety is a vice of rare occurrence, inasmuch as iced water occupies the place of ardent spirits and fermented liquors; but the stiletto is still used by the populace; and many of our soldiers, in their nocturnal rambles, fell beneath its blow. Jealousy is chiefly prevalent amongst the common people: the Herculean arm of Cecisbeism has nearly crushed the monster in the higher ranks. No such thing is ever dreamt of in Palermo, as a preventive police, where the streets are lighted by a few glimmering tapers that burn before the images of saints and martyrs; and when the most atrocious crimes are committed, no measures are ever taken for the discovery of the perpetrators. An English gentleman of our acquaintance was awoke in the dead of the night by two assassins standing over him with drawn daggers: being enjoined silence, on pain of instant death, he was made to deliver up his money, and to empty his drawers, the contents of which were handed out to an accomplice in the street: this being done, the villains leaped over the balcony and escaped. Next morning intelligence was given to the proper officers of police; but they seemed as ignorant of the commonest method of investigation, as they were indig-

nant at the idea of being taken for thief-catchers. If common report be true, and every one affirms it, justice is often put up to the highest bidder: certainly, the powers of the magistrate are scarcely able to support his authority; and his salary is so small and badly paid, that the rogue must be poor indeed, who cannot afford to bribe him. There is no such thing known as prison-discipline; the gaols are literally schools of corruption, where the innocent are abandoned to ruin, and the guilty hardened in iniquity; but on this subject I shall touch in another place. Such briefly are some of the traits which distinguish Palermo and the other large Sicilian cities. Society and good government have hung upon loose hinges in this unfortunate island ever since the Roman conquests, and the anarchy to which it is, in some measure, a constant prey, is the accumulated evil of many centuries. Though in later times its inhabitants have not, indeed, suffered those revolting cruelties of tyranny at which the mind shudders, still perhaps, the sum of human misery has been equally great: for the most cruel princes are not always the most insufferable tyrants, and imbecility sometimes leads to greater evils than unrestrained brutality: such has been the case with Sicily, most especially under the present reign; during which a set of dissolute courtiers, and an imperious woman, abusing the confidence and employing the authority of the sovereign, have filled the state with interminable disorders. Favouritism has existed in its most injurious forms, and court intrigue has been the sole study of

the great: privilege has monopolized all honours, offices, and distinctions; property and civil liberty have had no security from rapacity and caprice; justice has become venal; murder knows the price of its impunity; and the unequal distribution of the criminal law has instigated individuals to become their own avengers: commerce has been fettered by the most grievous ties; the pressure of taxation has fallen upon the necessities, not the luxuries of life, whilst the revenue thence arising has been expended in profligacy, to the neglect of all improvements physical and moral—add to all this, that the diffusion of knowledge has been prohibited by the darkest veil that superstition ever spread before its enlightening rays, that liberty has invariably been opposed by the priesthood, a body of men too bigoted, too intolerant, too dependent, to endure its very name, and the reader will have some faint idea of the political state of Sicily; nor will he wonder that difficulties environed those who endeavoured to resuscitate the embers of a patriotism nearly extinct, and break the fetters of a nation who rather chose to hug them, that civil liberty was received with an hypocrisy more injurious to its cause than open enmity, and that returning without any efforts of the people, it returned without vigour, and excited neither talent nor enthusiasm; that those amongst the higher classes who received it at all, received it like a toy, which they played with for a time, and then broke to pieces; and that the populace, having penetration sufficient to discover the weakness of their rulers, were

clamorous for the English authorities to dissolve the whole constitution and take the power into their own hands.

GIRGENTI AND CASTRO GIOVANNI.

[*From the Same.*]

The modern city of Girgenti occupies the summit of Mount Camicus, the seat of Cocalus, that most ancient and powerful king of the Sicanians; it was fortified by the Cretan Dædalus, who fled hither to avoid the rage of Minos, and in succeeding times it served probably as a citadel to Agrigentum. It would be difficult to trace the progress of its decay, for want of authentic records; under Roger the Norman its consequence revived a little, when it was erected into a bishop's see by Pope Urban II. The cathedral is a fine building modernized, and contains some valuable remains of antiquity; the most curious is a fine sarcophagus, said to have been restored to the Agrigentines, with many other treasures, by Scipio Africanus: its animated sculpture is supposed to represent the death of Phintias, a tyrant who was expelled from Agrigentum, and killed in a wild-boar chase at Carthage; though others pronounce it the death of Adonis, or the adventures of Hippolytus. The shrine of San Gherlando, first bishop of Girgenti, is composed of massive silver finely wrought. The bones of this venerable impostor were discovered by his own spectre to an affrighted sexton, who neglecting to make known so important an acquisition, was nightly visited, and at length scourged terribly by the enraged ghost: the bones were

then dug up, canonized, enshrined, and the poor sexton slept peaceably in his bed. In the church of Sta. Maria dei Greci, near the cathedral, are some remains of the very ancient temple of Jupiter Polyænus, in constructing which, the tyrant Phalaris took an opportunity of usurping the sovereignty: there is also an excellent public library, bequeathed to his native city by Don Andrea Lucchese, of the family of Campo Franco. It contains about 20,000 volumes, and is rich in the best editions of the classics, topography, antiquities, and a cabinet of medals; though this latter has been considerably reduced by the visits of antiquarians. Let the traveller seize the earliest opportunity of inspecting the library and consulting its treasures, for it is shut on all festivals, and he may find it difficult to make his way through that army of saints and martyrs, which the Romish calendar has stationed to block up the avenues of knowledge. Girgenti is a meanly built town, containing little worthy of notice, except its extreme poverty, that usual concomitant of a weak and oppressive government: it reckons about 15,000 inhabitants, eleven convents of monks, six of nuns, five parish churches, including the cathedral, and a large college, in which divinity, ethics, and the belles lettres are supposed to be taught by able professors. The streets are narrow, miserably paved, and for the most part inaccessible to carriages, or even mules, on account of their steep and craggy acclivities: they swarm with ragged children, whose numbers attest the noted fecundity of the women: the place does not contain an inn fit

for the accommodation of an Hottentot; the filth of that into which we were at first introduced was perfectly revolting, common decency will not allow of its description. In the absence therefore of a Gellias, we accepted the hospitality of the venerable Padre Scrivani, sub-prior of the Dominican convent, who put us in full possession of his neat and comfortable apartments. Notwithstanding all that may have been said against them, we found the monks of Sicily in these days, with a few exceptions, neither rich nor luxurious. The Benedictines of Catania, indeed, inhabit a most superb palace; their revenues are princely, and their fraternity all of noble birth. The annual stipend of our host did not exceed forty-five dollars; the daily fare in the refectory was of Pythagorean simplicity; a little shell-fish, eggs, salad, and bread, formed the principal diet, wine being very moderately used, and meat rarely seen: the robust and ruddy appearance, therefore, of the religious orders, might be ascribed by their advocates to the effects of temperance rather than that of luxury: out of their scanty revenues they make a daily distribution of bread or soup to the poor, and afford lodging to those who would otherwise depend upon casual benevolence. Bating therefore the injury done to religious truth, by their spiritual occupations, which consist chiefly in the propagation of legendary impostures, and the infusion of saintly virtue into wax candles, I can scarcely agree with those who would drive them out of society like drones from the hive.

Whilst we resided in this convent, we had an opportunity of

witnessing the festival of its patron saint. Night and day were both made hideous by the constant sound of drums, trumpets, and pateraroes, with processions of mummeries, in which every convent of the city endeavoured to distinguish itself by the most pompous display, and each sturdy monk endeavoured to carry a crucifix more ponderous than his fellow. Our worthy host was field marshal on this occasion, and no general ever showed greater activity in the disposal of his forces; he was up at least ten times during the night to fire off his trains of pateraroes, and at each exhibition of fire-works, he discharged rockets and exploded mines with the precision of an engineer. After these laborious duties, he sat with all the dignity of a conqueror, beneath a splendid canopy, surrounded by different orders of monks and friars, to hear a *Te Deum* chaunted in the chapel, which was brilliantly illuminated: between each pause a band of drummers, on their knees, beat their detestable instruments with a violence bordering upon phrensy, till they deafened the very ears of the audience, and two of the performers were carried out of the chapel in a state of complete exhaustion: these rallies were accompanied by cries and groans, and vehement exclamations from the people, who pressed forward with a tumultuous zeal, to kiss the crucifixes which the monks held out, and to touch them with their tapers. The pageant concluded with a sermon, by a very celebrated orator, whose chief excellence consisted in the tremendous tones of his voice, and an action so furious as to approach the ges-

tures of a maniac. The discourse was delivered, according to custom, extempore, and lasted more than an hour; the pronunciation was so rapid, that I could with difficulty catch its meaning, except that it treated generally upon mysteries; at times the preacher apostrophized a large crucifix, which another monk held behind him in the pulpit, and then the audience seemed affected by a violent sobbing, groaning, and vehement exclamation. It was near eleven o'clock when the assembly dispersed: I expected to have found our venerable host exhausted by fatigue; but he entered our room in high spirits, with unshaken nerves, and held with me a long argument upon auricular confession, before he went to bed.

During our residence at Girgenti we instituted an excavation in an ancient cemetery, of vast extent, below Mount Camicus, where, although we penetrated into several sepulchres, unopened before, we were much disappointed in our search after antiquities; we discovered only a few common lamps and funereal vessels, most of them broken, and lying buried in a fine greasy mould, with which the tombs were partly filled: these receptacles were generally constructed of large square stones, in the form of parallelograms, about seven feet long, four broad, and three deep. At a much less expense than our excavation cost, we purchased a large box full of antique pottery, from the peasants, who brought them to the convent, from whom we also procured several ancient coins, with the impress of an eagle, a hare, a crab, or an ear of corn, denoting the various

produce of the Agrigentine territory.

In the beginning of June, we bid adieu to our hospitable Dominicans, and proceeded towards the interior of the island, with the intention of visiting Castro Giovanni, anciently called Enna, the supposed capital of the kingdom of Ceres. Our journey was enlivened by joyous songs and choruses of the country-people, now finishing their harvest, and celebrating the season with festive mirth and bands of music: we frequently observed long trains of both sexes, with garlands of flowers, following their coryphæus or leader, whose solo verse was repeated by the rest in chorus, and which was interrupted only for the purpose of casting a few jeers and harmless jests at the casual passenger. Sometimes also a Madonna, decked in ribbons, or a pasteboard saint, accompanied their processions. The features and complexion of these peasants seemed to denote in general a Saracenic origin, but amongst them is still observed that remarkable contour and expression of countenance, called Grecian, which is so beautifully portrayed upon the ancient Sicilian coins: like all the nations of southern Europe, they are fervently addicted to music, which entering into their amusements and employments, and almost all the acts of life, seems to cheer and console their labour, as it agreeably employs the hours of relaxation: its beneficial influence tends to preserve them from the overwhelming gloom of superstition, the ferocity of barbarism, and the commotions of popular phrensy; and though the guitar of the peasant and his Doric flute

be not calculated to excite the sublimer passions, yet their tender and pathetic tones impart taste and feeling to his mind, and supply such a source of consolation under the unequal dispensations of an oppressive constitution, as almost to compensate for the absence of liberty itself.

On the second day, at noon, we began to ascend a lofty mountain, upon whose spacious summit, the highest inhabited ground in Sicily, stands Castro Giovanni, as near as possible in the centre of the island. Its great elevation gives it so delightful a temperature during the violent heats of summer, that many foreigners and Sicilian families retire thither in that season. The town has a very singular and picturesque appearance, being everywhere intersected with deep valleys or ravines, whose sides are literally honey-combed with Saracenic caves, some of which have two or three apartments, and are still inhabited by the poorer classes. From the rocks gush out, as in days of old, perennial streams and crystal fountains, amidst a vast profusion of shrubs, creepers, and wild flowers; whilst the fine cypress groves and gardens of the convents form a shade impervious to the sun. One quarter in this town is inhabited by a settlement of Greeks, who retain their native dialect, though corrupted by a strange intermixture of barbarisms.

On the second day of our sojourn here, a novel scene, at least for Sicily, took place; this was, the election of a member of parliament: it was conducted as quietly as that of a parish clerk in England. Our cicerone was a very obliging priest, named Padre

Alessio, who conducted us to the cathedral, an antique Norman building, with a curiously carved roof, and containing some fine paintings by Paladino; to the house of one of the canons, who possesses an interesting collection, and from thence to the east end of the great plain, where he pointed out to our notice the platform of the temple of Ceres, on the very edge of a tremendous precipice, probably 2,000 feet in perpendicular height, in view of the whole dominion over which she reigned. Here we first beheld the gigantic *Ætna*, that "pillar of the heavens," as the Grecian poet calls it, towering aloft into the region of mid-air.

From this spot also is seen, to great advantage, the beautiful circular lake, where, as the poet sings,

"Proserpine gathering flowers,
Herself a fairer flower, by gloomy Dis
Was gathered."

Its dark surrounding woods are vanished from this fair field of Enna, together with those flowers whose powerful odour was able to deprive dogs of their scent in the pursuit of game; yet the blessings of Ceres still remain, and the corn yields a fifty-fold increase: in the vicinity are many valuable mines, producing sulphur, coal, marcasite, copper, gold in small quantities, and rock-salt in great abundance, of a beautiful violet colour. Pliny mentions the peculiar tint of this salt at Centorbi, in the neighbourhood of Enna. This impregnable mountain was the retreat or citadel of Eunis and the revolted slaves in the first servile war; and here they defied, for several years, the whole force of Rome, and defeated three prætorian armies before they

were subdued. No site could have been better adapted for their purpose.

The last object of curiosity we inspected, was the shell of a large castle built by Frederic II. king of Sicily. Having ascended the chief tower, which has been converted into a prison, to enjoy the extensive view from its summit, we were induced, by a confused clamour of voices and clanking of chains below, to peep through the holes of the floor on which we stood: our eyes met a crowd of felons, murderers, and assassins of the worst description, some lying prostrate on the ground, others drinking, many playing at cards or dice, and uttering the most horrid blasphemies and imprecations. It was a group fit for the terrific scenes of *Udolpho*! I have before adverted to the reform which is imperiously called for in the interior arrangement of prisons, and the administration of Sicilian justice, each of which is turned into a frightful source of that guilt which they are devised to correct. As a gaol delivery never takes place, these receptacles are crowded to excess with wretches of the most abandoned character; and as no classification is thought of, what places do they become to receive the suspected or innocent person, or even him who has but just commenced the career of crime! The noxious effluvia which he breathes, the manacles with which he is shackled, the want of air and exercise, the contagion of filth and disease, are slight miseries in comparison with that moral contamination, that familiarity with guilt, to which he is exposed! If he escape, he is let out upon the community fit for the commission

of the greatest enormities; if he be retaken, and condemned, he is still able to defraud society of that exemplary punishment due to his crimes, and to remain in confinement for the corruption of his incarcerated companions: if his money fails, he will perhaps suffer when his faults are forgotten, and his fate is likely to excite pity rather than indignation.

An affair took place during our own residence in Palermo which so strongly illustrates this subject, that I cannot forbear to mention it. The trade of baker being a monopoly under government, an arbitrary price is fixed at the public ovens for the very staff of life. This price had for a long time been so excessive, and so disproportionate to an abundant harvest, that the lower classes joining this to their other causes of discontent, rose simultaneously in open rebellion, pulled down or burned several houses, with the adjoining ovens, and sacrificed some lives to their ungoverned fury: perhaps nothing but the presence of an English garrison with its artillery preserved the capital at this time from the sword and flames. On the third day of the riot, a preconcerted scheme had nearly taken effect, which would probably have been accompanied with such a scene of horror, before any remedy could have been applied. Two companies of a Neapolitan regiment, stationed opposite the public prison, observed the great doors gently open, and several persons drawing back, as if alarmed at the presence of the soldiers: presently a general tumult was observed through the grated windows of the building, to which a

dead silence succeeded: in a few minutes afterwards the doors grated on their hinges, and the whole body of felons, in a fit of desperation, endeavoured to force their way out: they were received, however, by such a steady and destructive fire from the Neapolitans, that the foremost fell dead, or wounded, and the rest, intimidated, retreated hastily into their cells; a constant discharge of musketry was then kept up through the doors and windows till the British artillery arrived. According to the best information, the number of these miscreants was about eleven hundred, many of whom had lived in confinement from ten to twenty years since their capital condemnation, and some were so affected with the tedium of life, for want of all employment, manual, moral, or religious, that they were anxious for death as a relief: they of course entered without reserve into the plans of the rioters, who supplied them with instruments to file off their irons, through the grated windows next the street, where the prisoners are allowed to sit during the day, and annoy passengers by their clamorous demands for charity.

Upon the failure of this desperate attempt, the riots were very soon repressed, and a military commission being convened next day, it was determined to sacrifice two of the prisoners, like scape-goats, for the sins of the people: vigour and dispatch were now the order of the day, and we could get little or no rest during the night for the noise of axes and hammers, which resounded through the great square, in which workmen were erecting a scaffold for the exe-

cution of the criminals. Early in the morning the garrison was drawn out under arms, and nearly the whole population of the city assembled in the Piazza Marina. At eight o'clock the first culprit was brought out upon a moveable platform, on which stood two executioners and a priest, who, as the machine was wheeled along, repeated a set of prayers in a loud voice that echoed round the square: three monks, clothed in long robes of white, that covered the whole person except the eyes, marched before, holding crucifixes, attached to long staves, before the face of the criminal. Arrived under the gallows, whilst the rope was adjusted the confessor repeated his last prayer, in which he was joined by the unhappy man, who probably foreseeing the fatal signal, hesitated in repeating the concluding words of *Giesu Christo*: the priest again distinctly pronounced them in a tone which made one shrink with horror, and seemed to recal the spirit that had already almost left its mortal frame: with an expiring effort the name of Him who died to save mankind, was repeated by the malefactor, when one of the executioners, who had seated himself like a demon upon the top of the gallows, jumped down upon his head, as the other, clasping him round the body with his arms, swung him from the platform: there they all three hung together in a terrific group which might vie with the imaginary horrors of a Dante. In about five minutes, life being quite extinct, the body was lowered upon the ground; the head and hands were cut off with a sharp knife, enclosed in an

iron case, and suspended over the great door of the prison. Curiosity being now satisfied, we left the multitude to enjoy the remainder of this bloody spectacle, and returned to our lodging. Terrible as this punishment may appear, it is, in fact, much more lenient towards the criminal than the plan pursued in our own country, and much more efficacious in the impressive warning which it conveys to others. The reader will be astonished to learn that the two felons thus executed had been capitally condemned, the one eleven and the other fifteen years before, for commission of the most horrid crimes and foulest murders that ever stained the human character—he will observe also, with surprise, what an extraordinary inversion of right and wrong the case presents; justice was, in this single instance, twice defrauded of her due; the malefactors escaped punishment for the faults to which their lives were really forfeit, and were illegally executed for an offence to which the punishment of death is not annexed.

MARRIAGE ENTERTAINMENTS,
AND FEMALE SOCIETY IN
GREECE.

(*From the Same.*)

OUR friend Mr. Cockerell had not left us many days before we had opportunities of witnessing many interesting and curious scenes, in the enjoyment of which we would most gladly have had his participation. One of these was the marriage feast of Giovanni Melas, a young Greek

merchant, one among the best educated, most intelligent, and most respectable men of the city. It was on a Saturday evening that we went with Signore Nicolo to view the nocturnal procession which always accompanies the bridegroom in escorting his betrothed spouse from the paternal roof to that of her future husband: this consisted of near a hundred of the first persons in Ioannina with a great crowd of torch bearers and a band of music. After having received the lady they returned, but were joined by an equal number of ladies, who paid this compliment to the bride; these were also attended by their maid-servants, many of whom carried infants in their arms dressed in prodigious finery. The little bride, who appeared extremely young, walked with slow and apparently reluctant steps, according to custom, supported by a matron on each side and another behind. The streets were crowded with people, among whom Signore Melas threw several handfuls of money at the door of his dwelling: we ourselves were here introduced to him, and with great politeness he ordered the band of music to accompany us back.

Next day, being Sunday, we understood that the archbishop of Ioannina attended at the house of Signore Melas to place the tinsel crowns upon the heads of the new couple, light the tapers, put the rings on the fingers, and perform all the other tedious ceremonies of a Greek wedding. The consummation of the marriage rite and the unloosening of the mystic zone is deferred till the third day of the ceremonials.

On this day a grand nuptial en-

tertainment was given, as is usual, to which all the particular friends and connexions of the bride and bridegroom were invited. In the evening we sent our congratulations to Signore Melas, with an intimation that if agreeable we would pay our respects to him personally on his marriage. This, as we had foreseen, was considered as a compliment; the band of music was sent to precede us to the house, at the door of which we found our host waiting to receive us; from thence he led us into the festive chamber and introduced us to his guests, I mean to the male part of them, since, as it has been before observed, in this semi-barbarous country, the sexes are separated at all convivial entertainments; a custom, which, more than every other, stops the progress of refinement, throwing over the amusements of society languid insipidity or tainting them with sottish degradation. We found Signore Melas's friends, after having partaken of the equal feast, pouring out copious libations to the rosy god, and singing hymeneal songs to the discordant harmony of fiddles and guitars. All rose up at our entrance, receiving us with every mark of attention, and seating us at the upper end of the divan, one on each side of Signore Alessio, the governor of Zagori, a great favourite with the vizir, who it seems acted for the bridegroom as master of the ceremonies. In the interval between our introduction and supper, a fool or zany was called in to divert the company by acting with a clown a kind of pantomime, the ludicrous nature of which consisted in practical jokes, and hard knocks upon the clown's pate,

which strongly excited the risible faculties of the spectators.

We were much more pleased with the next species of entertainment, which consisted of an exhibition of the Albanitico or national dance of the Albanian palikars, performed by several of the most skilful among the vizir's guards, who had been invited to the feast. The evolutions and figures of this exercise served to display the astonishing activity and muscular strength of these hardy mountaineers, who grasping each other lightly by the hands, moved for a time slowly backwards and forwards, then hurried round in a quick circular movement according to the excitement of the music and their own voices, whilst the coryphæus or leader, who was frequently changed, made surprising leaps, bending backwards till his head almost touched the ground, and then starting up into the air with the elastic spring of a bow, whilst his long hair flowed in wild confusion over his shoulders. After this was finished, the bridegroom with several of his guests imitated their example, with less agility, but with much more grace and elegance. Dancing is still considered by the moderns as it was by the ancient Greeks, a requisite accomplishment in the composition of a gentleman.

When supper was announced we all sat down, except the bridegroom, whose presence was excused, at a long table plentifully supplied with poultry, game, pilau, various made-dishes and pastry. In token of extreme civility, every person near us heaped food upon our plates, which sometimes presented such an heterogeneous mixture of fish, flesh

and fowl, that if we had been obliged to eat it this probably would have been our last meal. I observed a beautiful boy about six years old who sat next to me cramming himself till he could scarcely breathe; the little urchin seemed so determined that I should follow his example that he generally put half his mess upon my plate. Mr. Parker happening to sneeze at this entertainment, he was quite electrified by the boisterous congratulatory *vivas* of the guests. This custom is very general in the south of Europe, and seems to be a remnant of a very ancient superstition. In the mean time the guests poured down copious draughts of wine, toasting the bride and bridegroom, the English Milordi, Signore Alessio, and others: and now it was that I fancied I could discover the meaning of old Anacreon in some of his Bacchanalian expressions, from the manner in which these Grecian toppers drank (*ἀμυσί*), many of whom filled two and others even three goblets with wine; then taking up one with the right hand they applied it to their lips pouring the contents of the other two into it with the left, and never moving the cup from the mouth till the whole of the liquor was dispatched: these triplets were received by the rest of the company with unbounded applause. Possibly the celebrated Thracian Amystis may have been a similar trial of Bacchanalian skill, and not a goblet, as it is generally rendered.

Neu multi Damalis meri
Bassum Threicia vincat AMYSTIDE.
The feast was kept up with great merriment and noise till Signore Melas came in to pay us

the highest compliment in his power, by introducing us into the gynæconitis, where the ladies were assembled. In passing through the gallery or portico we observed a great quantity of rich bed-furniture, consisting of purple velvet embroidered with gold, which is always sent with the bride and displayed for public admiration upon these occasions. We had heard that Ioannina was celebrated for the beauty and fine complexion of its females; and certainly we were not disappointed when we entered into the apartment where a party of the most charming women in this capital were collected together. They sat in a large circle round the room, superbly attired; but the liquid lustre of their eyes put to shame the jewels that sparkled in their raven tresses. The reflection came forcibly across the mind, what brutes the men must be who could desert the society of such master-pieces of excelling nature, to indulge in the low gratifications of riotous intemperance! By the smiles and whispers that went round the circle, we soon perceived that our appearance excited much curiosity, and that our persons and every article of our dress became subjected to the minutest scrutiny. We were seated on each side the little bride, who was scarcely twelve years of age, and was comparatively so girlish that it required a great stretch of imagination to consider her in the character of a matron. She was magnificently dressed, the value of the jewels with which she was adorned being estimated at about 2,000*l.*; an ancient family appendage (that *παλαιὸν κτῆμα* of the Greek tragedians, in the shape of an old

nurse, stood near her, and this Argus was actively employed in guarding her charge and repelling the advances of Signore Melas, who was anxious to impress the marks of his affection upon the lips of his betrothed. One of the Albanian guards having brought in coffee, the young lady arose and with a very pretty air handed it to Mr. Parker and myself, who were obliged to suffer this inversion of the right order of things and accommodate ourselves to the custom of the place. We observed that her manners and deportment were accompanied with a great share of mildness and affability; but her features had not sufficiently expanded to judge of their expression: it appeared to us that her countenance might become interesting but by no means handsome. She was a daughter of the chief primate of Ioannina, and her dowry was said to be very considerable. After remaining about an hour in the Gynæconitis we took our leave; but in quitting the room we remarked a number of faces peeping out of an opposite latticed window, and found that a large party of young unmarried girls had been keeping the feast in a different apartment, separated both from men and women. The band of music accompanied us back to our lodging, where we arrived about midnight.

The scene we had witnessed naturally gave rise to some reflections upon the degraded state of that sex whose influence has, in general, so great an effect upon society. This degradation in Greece is owing principally to a want of education amongst the females, and an early seclusion

from that society which they are intended to ameliorate and adorn: but indeed if the first of these evils were removed, the second would soon vanish—for when good principles and a sense of moral duties are early instilled into the mind, there is no need of seclusion or confinement. Women who know their duties are full as apt to practise them as men, and possessed as they are of a greater share of sensibility, are much more easily led to cultivate the mild and social virtues. Of all the countries which we visited, I saw none where this false system of treatment was more to be regretted than in Greece. To judge from the countenances of the Grecian females, they exhibit a vivacity and brilliancy of expression that denotes a high degree of sentiment and genius: they appear also naturally to possess affectionate and kind dispositions, without any tendency to that spirit of profligacy which characterizes the sex in many countries of the south. But what can be expected from the system that is pursued? As soon as a girl approaches the age of puberty, she is more studiously shut up from public sight than a Catholic nun. In the interior of the *Gynekaïos* she is confined, but taught nothing beyond the art of embroidery or a few other such frivolous accomplishments, and, if her nurse or mother should be able to read, is instructed in the science of relics, the history of miracle-mongers, and other absurdities which superstition has engrafted upon religion. As soon as she arrives at a marriageable age, she is affianced by her family, as a matter of convenience

or sordid contract, and may be reckoned lucky if she find a parity of age in her partner for life. Very rarely indeed is the hymeneal torch lighted here at the altar of love: all preliminaries are carried on by the intervention of a third party; no opportunity is given to a young couple of studying each other's disposition, and acquiring that knowledge of each other's character which is so essential to connubial happiness; there is nothing to excite those tender anxieties and delicate attentions which interest and refine the soul: the inclinations of the parties most intimately concerned are not thought of; the suitor expects nothing from his bride but a silent acquiescence in the will of others, and the girl herself, anxious for liberty, gives her consent without consulting or even knowing the inclinations of her heart. Very curious surprises sometimes take place, when the bridegroom goes to fetch his affianced spouse. The beautiful infant turns out a picture of deformity; or the plain child is transformed into an angelic woman.

Nothing can exceed the anxiety of parents and friends in this country to contract a marriage for their girls. The brothers in a family make it an invariable rule never to marry until their sisters are disposed of; the truth of which was frequently confirmed to me by most respectable authority. The strongest instance I ever met with of this zeal was in a poor decayed tradesman of Ioannina, whom the exactions of the vizir, and failures in commercial speculations, had reduced to the last stage of poverty: his still venerable,

though melancholy appearance, so strongly excited our compassion in his behalf, that we contributed a sum of money for his relief, which might possibly, with good management and good fortune, have enabled him to regain a tolerable livelihood; but he chose rather to give it all as a dowry with his eldest daughter, a very beautiful girl, to a young Greek, who, according to custom, refused to marry her without one.

If the system pursued with regard to females in Greece were found efficient in preserving the morals uncorrupted, and the inclinations steady on the side of virtue, something might be said in its favour: but I am afraid that ignorance and seclusion are quite as bad safeguards of innocence as freedom and cultivation: there will be this difference indeed, that in one case vice will exist divested of all refinement, and immorality exhibit itself in the grossest form: the mind too, unable to enjoy intellectual pleasures, will yield more easily to the seductive influence of the passions. One of the few Greeks whom I found aware of this injurious tendency, was Signore Melas, the very person whose marriage gave rise to the foregoing observations. A more frequent intercourse having subsequently made me better acquainted with this intelligent young man, I discovered that the real motive of his marriage with such a youthful bride, was a wish to release her from the fetters of prejudice, that he might place her under the care of his own mother, cultivate her talents, study her temper, direct the rising energies of her mind, make

the first years of matrimony only the latter end of courtship, and thus qualify his wife to become his companion and his friend. These enlightened views of Signore Melas may, in great measure, be attributed to that intercourse with society to which his continental travels had introduced him.

It is a curious fact that the ancient Greeks, like the moderns, were guilty of similar errors in the education of their women: they seem to have been quite careless of all qualities and endowments in a wife, except modesty and domestic management. Those women amongst them who are noted for talent, and conspicuous in the list of fame, are for the most part of that class who acquired cultivation at the expense of virtue: they were a superior kind of courtesans, forming a middle rank between the prostitute and the wife, and designated by the title of *ἑταίραι*, or female companions: these women, knowing that to gain universal admiration they must also acquire the polish of education and accomplishment, boldly threw off restraint, and associated freely with the men, studied their tastes, infused life into their convivial entertainments, and splendour into their establishments: hence they became not only mistresses to the young and dissipated, but the instructresses of statesmen, and the companions of philosophers.

Such examples are sometimes met with amongst the modern Greeks, though the difficulties in the way of emancipation and the cultivation of talent are now much greater than they were formerly. The tragic story of the

unfortunate Phrosini is already known to the English reader; but many circumstances connected with it have been so inaccurately detailed that I shall here venture upon its repetition. This young beauty was highly celebrated in Ioannina, not more for the attractive graces of her person, than for that elegance of manners and vivacity of wit, which made her the life and soul of society with which she freely mixed. I have heard the gravest personages dwell with rapture upon the remembrance of her talents, and the pleasure of her conversation. With this accomplished female, Mouchtar Pasha the vizir's eldest son, had formed an intimate connexion. The estrangement which thence ensued between him and his wife excited the most violent jealousy in the mind of that imperious woman, who also interested her sister, the wife of Vely Pasha, in her cause. Some time elapsed before they could gain any proof against the object of their hatred, but at last an opportunity occurred which they eagerly seized. A jeweller one day brought to Mouchtar's wife a brilliant ring of great value, which she recognized as a wedding present made to her faithless spouse, and which she found, on questioning the jeweller, had been left with him for sale by her beautiful rival. Having gained possession of the ornament, she sent instantly for her sister, who proceeded with her to the palace of the vizir: admitted into his presence, they raised a terrible outcry and demanded redress for the contempt thus brought upon them by the machinations of Phrosini. Ali, who at this time preserved his in-

fluence in Upper Albania by means of his daughters-in-law, and had actually contrived through their aid to cheat poor Ibrahim Pasha, their father, out of some very important territory, felt unwilling to displease them: and therefore, raising them from the ground, he swore by the beard of Mahomet that their just desires of revenge should be indulged: it is also confidently reported that he had at this time a criminal intrigue with the wife of Vely, and that he could refuse nothing to her solicitations.

Trusting none of his officers with the execution of his commands, lest they might either give alarm to Mouchtar Pasha, or become the objects of his future resentment, he went himself at the dead of night, attended by his body-guard, to the house of the unsuspecting victim. Having gained admittance, and procured a lamp, he proceeded at once into her chamber, awoke her from sleep, and holding out the ring in his hand, inquired if she recognised it. The unfortunate creature immediately read her fate in the stern countenance of the tyrant, deceit was useless, and she confessed the fact. In a severe tone of voice he then ordered her to arise, put on her clothes and follow him. At the folding doors of the court he delivered her into the custody of the patrole, permitting one favourite maid alone to attend her mistress. They were conducted to a Greek church on the borders of the lake near the gardens of the Kiosk, and presently afterwards about twenty frail women of the lower ranks were conveyed to the same place of confinement. There they all passed the night

in prayer, expecting every moment to be their last. The next day however came to a close without the fatal order being given. The despot himself seemed struck with remorse, and hesitated before he could sign the sentence of death: he has even declared since, that he waited only for proper intercession to spare their lives. One man, indeed, a poor Greek, did present himself before him to beg the life of his guilty spouse, who was one of the unfortunates locked up with Phrosini. The

vizir, laughing aloud, asked him if he were content to live in wedlock with a whore? and on the man's replying in the affirmative, he gave an order for her release. The execution of the rest took place at night: they were taken in a barge from the church to some distance on the lake, tied up in sacks, and precipitated into the deep: Phrosini and her faithful maid, watching an opportunity, before the guards could prevent them, clasped each other in their arms, and plunged into the water to rise no more.

NATURAL HISTORY.

INSECTS THAT LIVE IN REPUBLICS.

(From Huber's *Natural History of Ants*.)

ALTHOUGH we have yet much to learn respecting the manners and habits of insects, we may still, I think, from the observations which have been brought together, attempt their distribution according to the developement of their instinct, so as to be enabled to rectify mistakes, when subsequent discoveries shall have adduced fresh information.

This classification does not exactly answer to the chain in which Bonnet has ranged all living beings, by tracing resemblances between their organization; still less does it correspond with those systematic divisions, established by distinguished naturalists; it, however, serves to

show us the true plan of nature, in proving that she is not always subject to that material order which strikes our senses; that she has varied *ad infinitum* her combinations; and that there are general rules founded upon moral characters, divisions and subdivisions in the intellectual, as well as in the physical part of creation, which I hope one day fully to demonstrate. I shall detach from this plan only a few opinions, having reference to those insects which live in society; they form a separate class, of which we have not yet well ascertained the nature and the relation. Pre-eminence, if such exists between these republics, cannot be determined, until we have compared, with much care and attention, the spirit, labours, character, and laws of each.

To assign as nearly as possible the place they occupy in the class

of insects, let us set aside those animals whose size, strength, usefulness, and even ferocity, impose upon our judgment; let us suppose for a moment that man himself did not exist, and let us see what part these different colonies would then act upon this globe (whose members are associated for one common interest), in the midst of that crowd of isolated beings, which display only a limited instinct, having habitudes, rather than manners, subjected to rules, rather than laws, and unconscious of either country or family.

In the first rank would appear those societies of industrious flies, which are established in hollow trees, and in the crevices of our rocks; they feed upon the nectar of flowers, and secrete honey and wax; they never employ their arms but to defend their country, the treasures they have accumulated, and the young they are rearing; the outside of their habitation presents nothing grand or imposing, but the interior is formed upon a regular plan, uniting elegant proportions with the most rigid economy.

That family, whose colouring is more brilliant, lives by carnage and rapine; its empire extends over every insect it can pierce with its sting, and every kind of fruit that its teeth enable it to penetrate; its dwelling, like to a balloon, is sometimes suspended in the air from the branches of a tree; at another time resembles a fortress, of which nothing indicates the existence without, hidden in the earth, and tenanted by a highly dreaded race.

At length come those colonies which cover the surface of the earth, and whose republics are so

numerous, that the globe would not suffice them, had not nature set just limits to their production. A multitude of insects become their prey. The small size of the individuals is compensated by their number, but force is not their principal reliance. Neither the flowers nor fruits furnish them with their ordinary food; this is the object of a taste more refined. The colonies of which we are now speaking, go and collect it from certain pacific beings, which live in societies, and bestow upon them, unconstrained, the juices they extract from plants. These colonies possess the art of making themselves understood, of assembling these insects in their habitation, and of defending them against the attacks of their enemies.

Those insects which live in republics, yield doubtless to many others in size, strength, and swiftness. Nature, in a lower degree, produces its monsters; the spider, dung-beetle, rove-beetle, scorpion, like so many ferocious beasts retired to their covert, await the passage of flies, worms, butterflies, and caterpillars, which they attack and destroy, experiencing no kind of resistance. Our astonishment is again excited at the gigantic proportions of those dung and stag-beetles, whose peaceable dispositions strongly contrast with the arms with which they are provided. Here the diversity of the production arrests our attention; this insect lives in corrupted matter, that insect dwells on the body of another animal; these have but an ephemeral existence, those pass their life in idleness, flitting by thousands from flower to flower, without being conscious either

of an habitation or a single relation. Shall we compare to insects, organized in a republic, those processionary caterpillars, whose sole talent consists in their knowing how to spin, in common, a web, in which they undergo their transformation, and in their leaving behind them, in their march, threads which serve to guide their companions; or those swarms of crane-flies, collected in the air, by the sole attraction of the sexes; or those myriads of ephemeræ which have but one day, one hour, to quit the waters, congregate, and die? Or shall we place in the same rank those clouds of locusts, without laws, without police, whose assembling appears to have no other object than the devastation of the countries they traverse, and those regular societies that know how to establish a common abode, adapted to the rearing of their young, and their own safety? If these wandering insects inspire us with any interest, it cannot be by placing at their side objects whose comparison would be disadvantageous to them; let us, therefore, return to the parallel of those whose manners and habits announce a certain degree of civilization.

Can we sufficiently admire the skill the bee displays in the distribution of that ductile substance with which it constructs its combs, in forming that double rank of hexagonal cells with pyramidal bottoms (the base of which serves as a partition for three other cells), those parallel streets, and those magazines, which it fills with provision for the winter, &c.? This is the insect which amasses real provision,

inclosing it and guarding it with care.*

The wasp, by a particular art, is enabled to avail itself of the oldest and driest wood, in the formation of a substance similar to the finest pasteboard, with which it fabricates its nest: the cells which it constructs are placed horizontally, suspended from each other: less skilful than the bee in measuring the angles of these cells, it does not form them in double rank, although the substance it employs is of much less value. It envelopes these cells in a common covering, which it can enlarge commensurate with its wants. By means of a juice or liquid, that proceeds from its mouth, it is enabled to unite and glue together the several particles of which its habitation is composed.

The nests of humble-bees present different appearances; here we find these insects dwelling under a roof of moss, there under a vault of wax. Their provisions are not collected to any extent, and are so exposed, that any may go and obtain refreshment when they like; but what is singular, the cells which contain their honey have not been fabricated expressly for this purpose; the webs which they spin in the

* We have, at all times, admired the structure of the combs of bees: the angles of the cells have been measured by skilful geometricians; but we are yet ignorant of the manner in which these industrious insects construct them. My father, after assiduous researches, has at length discovered the secret of their architecture, and will, ere long, present to the public a very extensive memoir upon this subject.—A. I need scarcely add, that this memoir has been since published,

first state of their existence, serves for this new use, and the coarse wax they elaborate, is employed in narrowing or lengthening these reservoirs, in constructing new cells for their young, and in forming an envelope which preserves the nest from humidity.

Let us now approach that hillock of straw which we observe in the midst of the forest ; under that inclined roof, a numerous republic finds an asylum against the injuries of the air. By a well-regulated police, the gates are closed during the night, and guarded through the day ; several avenues lead to the bottom of this subterraneous city ; it is found to contain numerous stories, both above and underneath the surface of the ground, and is so constructed that the water can never gain admittance.

Farther off, I observe a crowd of masons (ants) occupied in raising a building of immense size for insects so diminutive ; they neither employ in its construction, like the bee, a valuable material which they have themselves formed, nor a light and thin substance resembling the finest pasteboard, such as that the wasp uses in the formation of its nest ; its mortar is already prepared, the earth, rain-water, and the benefit of the sun, is all that is required in their masonry. The foundations of a new story are laid, walls are raised, ceilings are constructed, and their abode is arranged, with

a view rather to convenience than regularity.

Here I observe, proceed from the trunk of a tree, a file of ants ; they have hewn out in the solid wood vast chambers, a multitude of lodges and stories, corridors and colonnades, to which the air has free access.

On removing to another country, I observe a certain species of ant, availing itself of the down of a cotton-plant to shelter, more warmly and commodiously, the little ones confided to its care. No insect, indeed, presents such a variety in their dwellings ; a particular talent seems to be displayed in the labours of each, indicating to them the nature and use of the several substances within reach.

Let us pass from their architecture to the cares they bestow upon the rising generation. What a contrast is there not afforded between the social insects, and those that lead a solitary existence ; the latter are, for the most part, unacquainted with their family ; they provide for their necessities, establish their dwelling, but very few will see the egg to which they give birth. This affixes its eggs round a branch ; that trusts them to a fragile leaf ; another abandons them to the current of the waters : some place them in the sand, like the ostrich, leaving them to be brought to perfection by the heat of the sun ; others, the isolated mothers, prepare, themselves (before laying), the food for the larvæ which will proceed from their eggs ; some, furnished with an instrument for this purpose, deposit them in the body of a living fly, in the larvæ of other insects, or in the skin itself of the larger

and contains much interesting information on the subject ; indeed, it is very generally known in this country, and merits the highest commendation.
—T.

animals; others, by means of a double saw, lodge them in the bark of trees. These form subterraneous caverns, in which they arrange caterpillars near their offspring, who, on quitting the egg, find the food they require; others form a chamber in the earth, which they adorn with rose and poppy-leaves: they prepare for the nourishment of their young a paste, composed of honey and the pollen of plants; they deposit their eggs; their task is finished; they die.

The greater number of solitary insects, guided by a blind instinct, assure themselves of the existence of the succeeding generation, but they do not live sufficiently long to see the development of their young; we cannot, therefore, refer their conduct to motives of affection.

Those insects which live in society are devoted to the care of their family; there reigns between them an intimate bond of union, from which result relations that cannot exist among the former. What an interesting scene is there not offered to us on viewing this hive of bees, that nest of humble bees, those wasps, and particularly, these ants! I see the humble-bee prepare a cell for its young, which it partly fills with the food necessary for their preservation, under a fear, perhaps, of not being able, alone, to satisfy their wants: if their provisions are exhausted, the mother nourishes them herself; she visits the flowers, and then returns to her nest, bestowing upon the larvæ which are disclosed the most assiduous attention: she enlarges their cell, and watches over their safety, until they become themselves real workers,

capable of assisting her in taking care of those to whom she is about to give birth. A society is established between the mother and her young; each day the circle of her relations is extended, and the union is rendered more perfect.

Among bees, properly so called, an innumerable crowd of workers are produced from a single mother. If, however, maternal feelings and the delights of love are denied them, they do not the less evince their affection and solicitude for the young of their common mother; they nourish them, and defend them with a zeal and disinterestedness truly praiseworthy.

The ants carry still further this devotedness for their charge: they take care of and nurture them, even in the state of eggs, and give them mouth-provision in that of larvæ: when the latter are become pupæ, they procure for them an agreeable temperature, and when they are ready to undergo their transformation, these are the common parents, who extricate them from their cocoons, taking care of them until they are in a condition to fly, or discharge the duties to which they are respectively called.

In consequence of these attentions to them in their infancy, there arises a reciprocal affection between these insects. Hence the nature of the society which we observe among them. Thus what principally distinguishes them from those insects which live in solitude, is the attention they bestow upon the education of their young.

But what a prodigy is that in nature, of being able to receive advantage from sterility itself, to

ensure the preservation of the species; of inspiring the labourers with unbounded affection for the offspring of another mother, and confiding to them the charge of their education. The mother, too fecund to rear, unassisted, all her young, finds in her society a number of assistants, who take upon themselves the several labours: these are endowed with the highest degree of industry, activity, zeal, and courage: fecundity alone is denied them.

In what rests the secret of this organization, incomplete as to sex, perfect as to industry? Admirable combination of an incomprehensible nature! It has been fully proved, that bees can, in time of need, elect a queen from among the youngest larvæ; that the education, nourishment, and size of the cell destined for her, give rise to her being endowed with amazing fecundity, devoted to a state of repose, and receiving the homages of a numerous republic. Had it, however, been reared, like the other larvæ, it would have participated in the labours and dangers which fall to the lot of the workers. Can we conceive how means so simple should produce such powerful effects?

From such an institution arise those intimate and mutual relations, those assiduities which the education of the young requires, that assemblage of labours, that love for the country, that language, &c. we so much admire in these colonies. Every where else, each female lives separately. The only relations between solitary insects are occasioned by difference of sex; but, regarding those who live in society, we observe a family more or less nu-

merous, more or less powerful; all the members of which, of whatever order they be, understand each other, and yield mutual assistance, living, in common, upon the provision the workers bring in. This constitution is one of the wonders of nature; thus has she been pleased to establish several kinds of republics upon the same principle.

Among bees and ants a multitude of workers are born each year; but in these republics there are but a small number of females. Let us now attend to those astonishing circumstances with which their impregnation is accompanied.

The mystery of the fecundation of the queen bee has, from time immemorial, excited the attention of naturalists; it has, therefore, been the subject of the most profound researches; their respective authors passing from error to error, from conjecture to conjecture, came to doubt of the queen's having sexual intercourse with the male. It was reserved for a mind eminently endowed with all those qualities which constitute the philosopher and naturalist, that penetration, that logic, that extension of thought, so uncommon, of interrogating [to interrogate] nature by the organ of another,* of [to], at length, decyphering [decypher] those lines of the great book, which contain the surprising phe-

* I rather think the author here alludes to the distressing state of his father, who has, for many years, laboured under the greatest of bodily privations—loss of sight. His ardour in the investigation of his favourite subject, suffered no diminution. A faithful domestic attended, and gave him information of what was passing in the interior of his glass-hives.—T.

nomenon, of which bees offer the only example.

At this period we observe a vast number of males in the hives; they quit them in a large body, and disperse. The young queen alone, without followers, leaves her abode, goes forth to be impregnated in the air, and returns to her numerous family, bringing back not only titles to the consideration of her subjects, but the indisputable proof that the favoured male has lost his life in performing this last duty. A thousand curious circumstances attend this brilliant discovery.

Shall we at present speak of the combat of the queens; of their imprisonment; of the expulsion of the supernumeraries? Let us rather leave to the reader the pleasure of learning these astonishing truths in the original, and let us see what passes, under the same circumstances, with ants. In this instance, the males and females are distinguished from the unprolific race, by the faculty of flying. When the day of their departure arrives, they quit the nest in a crowd, accompanied by a numerous retinue of workers, who cannot follow them to any distance. They take flight, complete their junction in the midst of the swarms they form in the air, and never return to their original abode. The males in a short time perish; for they know not how to provide for their necessities; but the females are destined to extend the republics of their species; they are, therefore, under the necessity of going and establishing the foundations of them alone, and unassisted. One would be inclined to believe that the wings, with which they are provided, would be of advantage

to them in their labours; but Supreme Intelligence has ordered it otherwise; for as soon as they are impregnated, they renounce that prerogative, which no longer agrees with their new condition, and tear away of their own accord, and with effect, those members which appear to us a gift from Heaven.

For what purpose has nature required from them this sacrifice? Did she wish, in this way, to render them more sedentary? Or was it not rather in order to prevent their return to the natal ant-hill? This latter conjecture seems to me the most plausible. What would have happened did they possess the power of returning to their original family? That the ant-hills would not have been scattered, that they would have constituted but one immense habitation, which would soon have exhausted the resources of its neighbourhood. This inconvenience would have existed with bees, who do not reject their wings, had not that wisdom which regulates the universe, guarded against it, by inspiring the queens with mutual aversion and insurmountable dread of each other; so much so, that the oldest quits her abode, and leads off with her a part of her subjects, to found a new colony.

Humble-bees and wasps have not the power of re-assembling for the purpose of forming one entire colony. Nature, without depriving them of the use of their wings, guards against their abuse by dissolving every year their republics.

What admirable variety in her productions, and in her laws! What resources! With what care does she avoid repetition! It ap-

pears, that every possible combination exists at the same time. There, the republics are permanent; here, they are renewed every year. One of these nations sends off, each year, several colonies, and the numerous swarms go to tenant the woods and rocks; the other never divides; it rests entire; allowing the departure of only a few individuals, who go forth, separately, to found new societies. It was not sufficient to multiply these societies, it was still necessary to provide for their duration. These, then, are the means employed to sustain their population, from age to age. In the case of bees, one single female reigns over a numerous colony, her size, and especially her remarkable fecundity, secure her the homage of her subjects. She keeps up the population of the hive, and suffers none to dispute her authority. However, at the period when she gives birth to males, the bees, who are aware, perhaps, that she bears also the germs of females, prepare royal cells: in these she deposits her eggs; and the larvæ, when disclosed, become queens. The mother does not regard, without aversion, these individuals, who may contend with her for pre-eminence: she endeavours to destroy the objects of her anger; but the workers prevent her reaching those cells which contain their forthcoming chiefs. The queen, agitated with the fear of seeing them quit their cells, abandons the hive, accompanied by a numerous colony, leaving behind her several females destined to be her successors, who, after having disputed the empire, or induced one part of the inhabitants to desert with them, re-

sign to one of their rivals, the sovereignty, or, at least, the right of depositing her eggs alone, in the hive which witnessed their birth.

A constitution, widely different, obtains with ants: several females equally divide the important functions of procreation; they do not evince that hatred, nor do we perceive any of that jealousy, of which we have an example in bees; they also receive, in common, the homages of the other casts. When the young females depart, for the purpose of founding new states, the inhabitants of each city, endowed with admirable prudence, retain some few to supply the place of those about to terminate their career. It is thus the population of each republic is sustained and increased.

The terms of Queens, of Subjects, of Constitution, of Republics, must not be taken according to the strict letter. The unity or plurality of females presents but a poor image of our different forms of governments: in truth, each of these orders follows the laws of its own instinct, without being conscious of any subordination; it, notwithstanding, happens, that some few possess over the rest a certain degree of influence, independent of any authority, properly so called.

The Termites, inhabitants of southern climates, also effect their union in the air, fall upon the ground, and lose, as we are informed, their wings. But who can teach us the secrets of their astonishing society? why nature has produced amongst them four sorts of individuals?—one single mother, who, when pregnant, becomes a hundred times more

bulky than at first; winged males; apterous neuters, appointed to the household management, and the construction of their gigantic edifice; and others, instructed only in the arts of war. Reaumur, De Geer, Bonnet, &c. found without going any distance, subjects worthy of exciting their attention. All our riches in this department have not been yet explored. The wars of bees, already sung by a great poet,* would furnish their historian with a rich and brilliant subject. Hitherto, we have not been enabled to compare those in which ants engage, to those of any other species of animals.

If it be true, that war is one of the consequences of social order, what shall we be induced to think, on perceiving regular armies issuing from the gates of two rival cities, and going to the rencontre upon an eminence, where battle is given, and where equal courage and carnage are displayed on each side? What shall we say of those bodies of troops, who only wait the signal of danger, to come to the assistance of the advanced guard? of those champions who struggle in pairs? of those chains of wrestlers, who balance their strength, and seize the favourable moment to destroy the equilibrium? of those prisoners led away to the enemy's camp, &c.? Is not this a strong image of our serious quarrels?

But how strikingly does it contrast with our manners, that arms, courage, military skill, should, in these republics, rest

with the female sex;* whilst feebleness, idleness and exile, fall to the lot of the males. Those of bees, still worse treated, are put to death, as soon as they have fulfilled their only functions. With wasps and humble-bees, they are also destitute of arms, and show no industry; but they are not the object of the fury of the workers: the severity of the winter, as they know not, like the females, how to shelter themselves, produces, generally speaking, their death. By what art are the workers charged with the defence of the republic, enabled to reconnoitre, understand, assist, and succour each other? The subtlety of their senses, or rather that unbounded affection which exists between them teaches them to distinguish, in their contests, their companions from their enemies: a language, significant and extremely rapid, informs them of the danger of their companions, or the success of their enterprise. This language is the bond of that union you remark in this numerous family; it is not by sounds, or visible signs, but by contact alone, that it is manifested, more particularly by the antennæ, those organs which distinguish insects from all other living beings: these serve, in those species collected in societies, the noble purpose of communicating, from one individual to another, the impressions, situation, and necessities of each: the antennal language is, without doubt, imperfect, if we compare

* *Vide* Virgil's *Georgics*, 4th Canto. These combats have been described with great accuracy by the poet.—A.

* It must be remembered that the workers are not neuters, but females, whose moral, if I may use this expression, has been developed at the expense of their physical condition.—A.

it with our wants, but amply suffices for those of ants.

Bees also make use of signs, although they are no strangers to sounds. When the queen wishes to lead away some part of the metropolis, to found a new city, she passes from rank to rank, striking and exciting each worker she meets, to accompany her: the movement is, at length, general through the whole hive, and the swarm rush into the open air.

Should any strange animal, or insect, attempt to enter their abode, the alarm is in an instant given, and a thousand lives are ready to be sacrificed; but when their queen, as yet a prisoner, emits a shrill, piercing cry, a general stupor immediately pervades the whole of the bees, they all incline their head, and seem as if paralysed.

Wasps are also acquainted with the mode of imparting information to their companions. When a single wasp discovers a strong hold of sugar, honey, or other article of food, it returns to its nest, and brings off, in a short time, a hundred other wasps; but we are yet ignorant, if it be by visible, or palpable signs, they are mutually informed of this discovery.

It was in the nature of things, that all those beings living in society, should have a language; but ants, who appear, in several respects, to merit the pre-eminence over other insects, extend this faculty even to the pucerons, from whom they obtain their nourishment. The art, still more surprising, of rendering them domestic, has nothing analagous in the other republics of which we

have spoken: this prerogative appears to touch upon the domain of man. But the Author of all things has limited the power of these petty republics, in not permitting them to make use of other arms than those with which they are naturally provided; the inventive faculties have been denied them, notwithstanding we have witnessed a few traits, which seem to announce some species of combination. Their wants and their means have been calculated beforehand, so that their instinct is not susceptible of being brought to higher perfection.

In the number of those magnificent views of creation, which it is permitted us to observe, we perceive man, so placed in the general scale, that under the guidance of his own genius, and proud, perhaps, of his brilliant faculties, he does not see any of those minute chains by which he is surrounded. If delivered over, in some degree, to himself, he sometimes meets in his institutions, and in his arts, with the laws and proceedings nature has dictated to animals; it amounts to a certain proof of his relation with Disposing Intelligence: the works of the latter, however, bear the impress of Infinite Wisdom, and the conceptions of man, the seal of imperfection. In regarding those colonies, which exist at our very feet, and where so much harmony and order prevail, I think, I perceive the Author of nature, tracing with his all-powerful hand, the laws of a republic exempt from abuse, or framing the model of those compound societies, where servitude is allied to a common interest.

The Author of nature has so

willed it, that certain ants should associate in their labours other workers of an industrious species, upon whom is to devolve the office of rearing their young, and providing their subsistence; whilst they themselves, abandoned to warlike enterprise, and passing from a state of combat to one of ease, are to enjoy the industry and share the affection and attention of these strange ants. This institution, wisely combined, fulfils every desirable condition. The slaves of the Amazons, carried away in their infancy, perceiving no change in their country attach themselves to their captors, display their usual natural activity, and unacquainted with forced labours, and subject to no kind of oppression, have even, as we have seen, a sufficiently extensive authority in the city which has adopted them.

This great trait, in which is displayed unbounded wisdom, in calling to our mind the abuses to which a similar institution is subject, among several civilised nations, induces us to admire the mildness of those laws, by which Providence rules these colonies, of which, she has reserved to herself the entire direction; and shows us, that in delivering man to his own guidance, she has subjected him to a great and heavy responsibility. If natural history had only served to prove this truth, it would have attained the most dignified end of which the sciences may boast—that of endeavouring to ameliorate the human species, by the examples it lays before us.

ACCOUNT OF THE POLAR ICE.

(From Scoresby's Account of the Arctic Regions.)

Of the inanimate productions of the Polar Seas, none perhaps excites so much interest and astonishment in a stranger, as the ice in its great abundance and variety. The stupendous masses, known by the name of *Ice-islands*, or *Ice-bergs*, common to Davis' Strait, and sometimes met with in the Spitzbergen Sea, from their height, various forms, and the depth of water in which they ground, are calculated to strike the beholder with wonder; yet the prodigious sheets of ice, called *fields*, more peculiar to the Spitzbergen Sea, are not less astonishing. Their deficiency in elevation, is sufficiently compensated by their amazing extent of surface. Some of them have been observed extending many leagues in length, and covering an area of several hundreds of square miles; each consisting of a single sheet of ice, having its surface raised in general four or six feet above the level of the water, and its base depressed to the depth of [from] ten to twenty feet beneath.

The ice in general is designated by a variety of appellations, distinguishing it according to the size or shape of the pieces, their number or form of aggregation, thickness, transparency, situation, &c.

As the different denominations of ice will be frequently referred to in the course of this work, it may be useful to give definitions of the terms in use among the whale-fishers, for distinguishing them.

1. An *ice-berg* or ice-mountain, is a large insulated peak of float-

ing ice; or a glacier, occupying a ravine or valley, generally opening towards the sea, in an arctic country.

2. A *field* is a sheet of ice so extensive, that its limits cannot be discerned from a ship's mast-head.

3. A *floe* is similar to a field, but smaller; inasmuch as its extent *can* be seen. This term, however, is seldom applied to pieces of ice of less diameter than half a mile or a mile.

4. *Drift-ice* consists of pieces less than floes, of various shapes and magnitudes.

5. *Brash-ice* is still smaller than drift-ice, consisting of roundish nodules, and fragments of ice, broken off by the attrition of one piece against another. This may be considered as the wreck of other kinds of ice.

6. *Bay-ice* is that which is newly-formed on the sea, and consists of two kinds, common bay-ice, and *pancake-ice*; the former occurring in smooth extensive sheets, and the latter in small circular pieces with raised edges.

7. *Sludge* consists of a stratum of detached ice-crystals, or of snow, or of the smaller fragments of brash-ice floating on the surface of the sea. This generally forms the rudiments of ice, when the sea is in agitation.

8. A *hummock* is a protuberance raised upon any plane of ice above the common level. It is frequently produced by pressure, where one piece is squeezed upon another, often set upon its edge, and in that position cemented by the frost. Hummocks are likewise formed, by pieces of ice mutually crushing each other, the wreck being heaped upon one or

both of them. To hummocks, principally, the ice is indebted for its variety of fanciful shapes, and its picturesque appearance. They occur in great numbers in heavy packs, on the edges and occasionally in the middle of fields and floes, where they often attain the height of thirty feet or upwards.

9. A *calf* is a portion of ice which has been depressed by the same means as a hummock is elevated. It is kept down by some larger mass; from beneath which, it shows itself on one side. I have seen a calf so deep and broad, that the ship sailed over it without touching, when it might be observed on both sides of the vessel at the same time; such an experiment, however, is attended with considerable danger, and necessity alone can warrant it, as calves, when disturbed by a ship sailing over them, have not unfrequently been called from their sub-marine situation to the surface, and with such an accelerated velocity, as to damage the vessel, or even to occasion shipwreck.

10. A *tongue* is a point of ice projecting nearly horizontally from a part that is under water. Ships have sometimes run aground upon tongues of ice.

11. A *pack* is a body of drift-ice of such magnitude, that its extent is not discernible. A pack is said to be *open*, when the pieces of ice, though very near each other, do not generally touch; or *close*, when the pieces are in complete contact.

12. A *patch* is a collection of drift or bay-ice of a circular or polygonal form. In point of magnitude, a pack corresponds with a field, and a patch with a floe.

13. A *stream* is an oblong col-

lection of drift or bay-ice, the pieces of which are continuous. It is called a *sea-stream*, when it is exposed on one side to the ocean, and affords shelter from the sea, to whatever is within it.

14. *Open ice*, or *sailing-ice*, is where the pieces are so separate as to admit of a ship sailing conveniently among them.

15. *Heavy* and *light* are terms attached to ice, distinguishable of its thickness; heavy ice having a considerable depth in the water, and light ice very little; the former being dangerous to shipping, and the latter not. Bay-ice may be said to extend from the first pellicle of ice, up to a foot in thickness; light ice from a foot to a yard in thickness; and heavy ice from about a yard upwards.

16. *Land-ice* consists of drift-ice attached to the shore; or drift-ice, which, by being covered with mud or gravel, appears to have recently been in contact with the shore; or the flat-ice, resting on the land, not having the appearance or elevation of ice-bergs.

17. A *bight* is a bay in the outline of the ice.

18. A *lane*, or *vein*, is a narrow channel of water in packs, or other large collections of ice.

When the sea freezes, the greatest part of the salt it contains is deposited, and the frozen mass, however spongy, probably contains no salt, but what is natural to the sea-water filling its pores. Hence the generality of ice, when dissolved, affords fresh water. As however, the ice frozen altogether from sea-water does not appear so solid and transparent as that procured from snow or rain-water, the whale-fishers distinguish it into two kinds, ac-

cordingly as it affords water that is potable, or the contrary; and accordingly as it appears to have been the product of fresh or salt water.

What is considered as *salt-water ice*, appears blackish in the water, but in the air, is of a white or grey colour, porous, and in a great measure opaque (except when in very thin pieces), yet transmits the rays of light with a blue or bluish-green shade. When dissolved, it produces water sometimes perfectly fresh, and sometimes saltish; this depends in a great measure on the situation from whence it is taken: such parts as are raised above the surface of the sea in the form of *hummocks*, or which, though below the surface, have been long frozen, appear to gain solidity, and are commonly *fresh*, whilst those pieces taken out of the sea, that have been recently frozen, are somewhat salt. Although I have never been able to obtain, from the water of the ocean, by experiment, an ice either compact, transparent, or fresh, yet it is very probable that the retention of salt in ice, may arise from the sea-water contained in its pores; and, in confirmation of this opinion, it may be stated, that if the newest and most porous ice be removed into the air, allowed to drain for some time in a temperature of 32° , or upwards, and then be washed in fresh water, it will be found to be nearly quite free from salt, and the water produced from it may be drunk. And that sea-water has a tendency to produce fresh ice, is farther proved by the concentration observed in a quantity exposed in an open vessel to a low temperature, by the separation of the

salt from the crystals of ice, in the progress of the freezing. Thus it is, that, in the coldest weather, when a ship exposed to a tempestuous sea, is washed with repeated *sprays*, and thereby covered with ice, that in different places obstructing the efflux of the water overboard, a portion always remains unfrozen, and which, on being tasted, is found to consist of salt water highly concentrated. This arises from the freezing point of water falling in a certain ratio, according to the degree of saltness; thus, though pure water, of specific gravity 1.0000, freeze with a temperature of 32° , water of specific gravity 1.0263, containing about $5\frac{3}{4}$ oz. (avoird.) of salt in every gallon of 231 cubic inches, (that is, with the degree of saltness common to the Greenland Sea), freezes at $28\frac{1}{2}^{\circ}$. Sea-water, concentrated by freezing, until it obtains the specific gravity of 1.1045, requires a temperature of $13\frac{2}{3}^{\circ}$ for its congelation, having its freezing point reduced $18\frac{1}{3}^{\circ}$ below that of pure water; and water saturated with sea-salt remains liquid, at a temperature of zero.

Thus we are presented with a natural process for extracting salt from the sea, or at least for greatly facilitating that process in a concentration of the saline particles, by the agency of frost.

Fresh-water ice of the sailors, is distinguished by its black appearance when floating in small pieces in the sea, and by its transparency when removed into the air. Large pieces may occasionally be obtained, possessing a degree of purity and transparency, equal to those of the most beautiful crystal; but generally, its transparency is interrupted by

numerous small globular or pear-shaped air-bubbles: these frequently form continuous lines intersecting the ice in a direction apparently perpendicular to its plan of formation.

Fresh-water ice is fragile, but hard; the edges of a fractured part, are frequently so keen, as to inflict a wound like glass. The most transparent pieces are capable of concentrating the rays of the sun, so as to produce a considerable intensity of heat. With a lump of ice, of by no means regular convexity, I have frequently burnt wood, fired gunpowder, melted lead, and lit the sailors' pipes, to their great astonishment; all who could procure the needful articles, eagerly flocked [flocking] around me, for the satisfaction of smoking a pipe ignited by such extraordinary means. Their astonishment was increased, on observing, that the ice remained firm and pellucid, while the solar rays emerging from it were so hot, that the hand could not be kept longer in the focus than for the space of a few seconds. In the formation of these lenses, I roughed them out with a small axe, then scraped them with a knife, and polished them merely by the warmth of the hand, supporting them during the operation in a woollen glove. I once procured a piece of the purest ice, so large, that a lens of sixteen inches diameter was obtained out of it; unfortunately, however, the sun became obscured before it was completed, and never made its appearance again for a fortnight, during which time, the air being mild, the lens was spoiled.

All young ice, such as bay-ice and light ice, which form a con-

siderable part of drift and packed ice in general, is considered by Greenland sailors as salt-water ice; while fields, floes, bergs, and heavy ice chiefly consist of fresh-water ice. Brash-ice likewise affords fine specimens of the latter, which when taken out of the sea, are always found crowded on the surface with sharp points and conchoidal excavations.

The most porous and opaque ice, and the most solid and transparent, do not differ materially in their density; the highest specific gravity I have observed (compared with fresh-water at a freezing temperature) being 0.925, and the lowest 0.915. And it is a little curious, that in several careful experiments for ascertaining the specific gravity of ice, recently made, the most transparent specimens have proved the lightest, and the most opaque the heaviest. The mean specific gravity of ice being considered as 0.92, it will appear, that the proportion floating above to that below the surface, when plunged in fresh-water, temperature 32° , must be as 1 to 11.5. But the specific gravity of ice, when compared with the sea-water occurring on the Spitzbergen coast, temperature 35° , was ascertained to be 0.894 to 0.900; as such, when ice floats in the sea, the proportion above to that below the surface, appears, by calculation, to be as 1 to 8.2. For every solid foot of ice, therefore, which is seen above water in a mass floating in the sea, there must be at least 8 feet below. A cubic inch of compact ice weighs 231.5 grains, and a cubic inch of Greenland sea-water at a freezing temperature, specific gravity (temp. 60°) 1.0264, weighs 259.58 grains; the weight of ice being to the

weight of sea-water as 8 to 8.97, or 8 to 9 nearly.

Water, under usual circumstances, is known to contain a large quantity of air, amounting to perhaps $\frac{1}{28}$ th or $\frac{1}{36}$ th of its bulk, which air, it is supposed is chiefly disengaged when the fluid is boiled. It would, however, appear, that the whole of the air contained in water is by no means disengaged even when boiling, as water that has been boiled and then frozen *in vacuo*, does not form a transparent ice. The following experiment on the disengagement of air from water during the freezing, intended for observing the phenomena more minutely than can be seen on the great scale on which nature, in the expanse of the ocean, operates, was made near Spitzbergen.

Into a 4 oz. clear glass-phial, I poured 2 oz. of ice-water, and placing it upon the fire in a salt-water bath, soon brought it to the boiling point. Being removed to the front of a brisk fire, a strong ebullition commenced, which having continued for some time, accompanied with a copious disengagement of steam, the phial was suddenly corked and inverted. It was then exposed to a temperature of 10° , and the ebullition continued brisk whenever the phial was plunged into cold water or snow, for a period of 15 or 20 minutes. This showed that there could be little or no air in the phial. No crystals of ice were observed, until an hour and a half after the ebullition ceased, and then the process of freezing went on briskly. In two or three hours afterwards, the whole of the water was consolidated. Air-bubbles were observed moving towards the surface, as the process advanced, and, when

completed, the ice had a milky appearance throughout, and was found crowded with minute globules of air. Hence it is probable, either that water is not entirely freed from air by boiling, or that some of the water is decomposed during the progress of the freezing process.

In consequence of this disengagement of air, ice formed in small vessels, or in confined situations, cannot be altogether transparent; for whenever a pellicle of ice covers the surface, the air as it is dislodged, is prevented from escaping, but rising as high as the ice will permit, there gets inclosed by the formation of new crystals, and renders the ice obscure. But where, from accidental circumstances, the air, as it is disengaged, can make its escape, the ice which is formed may present considerable masses totally free from any visible pore. Thus, when water contained in a large cylindrical vessel, is exposed to a low temperature, the first appearance of freezing is about the surface and sides, in needles shooting along the surface, or obliquely downward. The ice on the sides then extends lower and lower, leaving a quantity of water in the middle in the form of a cone, which forms a receptacle for the air disengaged, as the freezing process goes on. Hence the ice on the sides, which is formed when the evolving air has liberty to escape towards the centre, is found purely diaphanous, while the last formed ice, in the shape of a cone, having its base on the bottom of the vessel and touching the surface with its apex, becomes the receptacle for the disengaged air, and is necessarily nebulous throughout.

Ice, when rapidly dissolved, continues solid, as long as any remains; but when exposed to the air at a temperature of only 2 or 3 degrees above the freezing point, its solution is effected in a very peculiar manner. Thus a large lump of fresh-water ice, when acted on by such a process, if placed in the plane of its formation, resolves itself into considerable columns of a prismatic appearance. These columns are situated in a perpendicular position, and are almost entirely detached, so that when a blow is struck with an axe, the whole mass frequently falls to pieces. In the land ice-bergs, these columns are often of amazing magnitude, so as, when separated, to form floating ice-bergs.

All the ice floating in the sea, is generally rough and uneven on the surface, and, during the greater part of the year, covered with snow. Even newly-formed ice, that is free from snow, is so rough and soft, that it cannot be skated on.

Under water, the colour of the ice varies with the colour of the sea; in blue water it is blue, and in green water green, and of deeper shades in proportion to its depth. In the thickest olive-green coloured water, its colour, far beneath the surface, appears brownish.

Some naturalists have been at considerable pains to endeavour to explain the phenomena of the progressive formation of the ice in high latitudes, and the derivation of the supply which is annually furnished, for replacing the great quantity that is dissolved and dissipated by the power of the waves, and the warmth of the climate into which it drifts. It

has frequently been urged, that the vicinity of land is indispensable for its formation. Whether this may be the case or not, the following observations may possibly determine.

I have often noticed the process of freezing from the first appearance of crystals, until the ice had obtained a thickness of more than a foot; and did not find that the land afforded any assistance or even shelter, which could not have been dispensed with during the operation. It is true, that the land is sometimes the cause of the vacancy or space free from ice, where this new ice is generated; the ice of older formation being driven off by easterly winds, assisted perhaps by a current; yet this new ice frequently occurs at the distance of forty or fifty leagues from Spitzbergen. But I have also many times seen ice grow to a consistence capable of stopping the progress of a ship with a brisk wind, even when exposed to the waves of the Atlantic Ocean, on the southern aspect of the main body of the Greenland ice, in about the seventy-second degree of north latitude. In this situation, the process of freezing is accomplished under peculiar disadvantages. I shall attempt to describe its progress from the commencement.

The first appearance of ice when in the state of detached crystals, is called by the sailors *sludge*, and resembles snow when cast into water that is too cold to dissolve it. This smooths the ruffled surface of the sea, and produces an effect like oil in preventing breakers. These crystals soon unite, and would form a continuous sheet; but, by the

motion of the waves, they are broken into very small pieces, scarcely three inches in diameter. As they strengthen, many of them coalesce, and form a larger mass. The undulations of the sea still continuing, these enlarged pieces strike each other on every side, whereby they become rounded, and their edges turned up, whence they obtain the name of *cakes* or *pancakes*; several of these again unite, and thereby continue to increase, forming larger flakes, until they become, perhaps, a foot in thickness, and many yards in circumference. Every large flake retains on its surface, the impression of the smaller flakes of which it is composed; so that, when, by the discontinuance of the swell, the whole is permitted to freeze into an extensive sheet, it sometimes assumes the appearance of a pavement.

But when the sea is perfectly smooth, the freezing process goes on more regularly, and probably more rapidly. The commencement is similar to that just described; it is afterwards continued by constant additions to its under surface. During twenty-four hours keen frost, it will have become an inch or two in thickness; and in less than forty-eight hours time, capable of sustaining the weight of a man. Both this kind and cake-ice, are termed *bay-ice*.

It is generally allowed, that all that is necessary in low temperatures for the formation of ice, is still water: now, this is easily obtained independent of the land: for in every opening of the main body of ice at a distance from the sea, the water is always as smooth as that of a harbour; and, as I

have observed, the growth of ice up to a foot in thickness in such a situation, during one month's frost, the effect of many years we might deem to be sufficient for the formation of the most ponderous fields.

There is no doubt but a large quantity of ice is annually generated in the bays, and amidst the islands of Spitzbergen; which bays, towards the end of summer, are commonly emptied of their contents, from the thawing of the snow on the mountains causing a current outwards. But this will not account for the immense fields which are so abundant in Greenland. These evidently come from the northward, and have their origin between Spitzbergen and the Pole.

Ice-fields constitute one of the wonders of the deep. They are often met with of the diameter of twenty or thirty miles; and when in a state of such close combination that no interstices can be seen, they sometimes extend to a length of fifty or near a hundred miles. The ice of which they are composed, is generally pure and fresh; and in heavy fields, it is probably of the average thickness of ten to fifteen feet, and then appears to be flat, low, thin ice; but where high hummocks occur, the thickness is often forty, or even fifty feet. The surface, before the month of July, is always covered with a bed of snow, of perhaps a foot to a fathom in depth; this snow dissolves in the end of summer, and forms extensive pools and lakes of fresh water. Some of the largest fields are very level and smooth, though generally their surfaces are varied with hummocks. In some, these hum-

mocks form ridges or chains, in others, they consist of insulated peaks. I once saw a field that was so free from either fissure or hummock, that I imagine, had it been free from snow, a coach might have been driven many leagues over it in a direct line, without obstruction or danger. Hummocks somewhat relieve the uniformity of intense light reflected from the surface of fields, by exhibiting shades of delicate blue in all the hollows, where the light is partly intercepted by passing through a portion of ice. When the surface of the snow on fields is frozen, or when the snow is generally dissolved, there is no difficulty in travelling over them, even without either snow skais or sledges; but when the snow is soft and deep, travelling on foot to any distance, is a work of labour. The tribe of Esquimaux discovered by captain Ross, made use of sledges drawn by dogs, for conveying them across the rough land-ice, lying between the ships and the shore;—a journey they performed with such celerity, that captain Ross conjectures “they could travel fifty or sixty miles a-day.” Hence, if such a distance were practicable on the drift-ice occurring near shore, it would be much more easy on the smoother ice of fields.

The term *field*, was given to the largest sheets of ice by a Dutch whale-fisher. It was not until a period of many years after the Spitzbergen fishery was established, that any navigator attempted to penetrate the ice, or that any of the most extensive sheets of ice were seen. One of the ships resorting to Smeerenberg for the fishery, put to sea

on one occasion, when no whales were seen, persevered westward to a considerable length, and accidentally fell in with some immense flakes of ice, which, on his return to his companions, he described as being truly wonderful, and as resembling fields in the extent of their surface. Hence the application of the term Field to this kind of ice. The discoverer of it was distinguished by the title of "Field-finder."

As strong winds are known to possess great influence in drifting off the ice, where the resistance is not too considerable, may not such winds form openings in the ice far to the north, as well as in latitudes within our reach and observation? Notwithstanding the degree in which this cause may prevail is uncertain, yet of this we are assured, that the ice on the west coast of Spitzbergen has always a tendency to drift, and actually does advance in a most surprising manner to the south or south-west; whence, some vacancy *must* assuredly be left in the place which it formerly occupied.

These openings, therefore, may be readily frozen over, whatever be their extent, and the ice may in time acquire all the characters of a massy field.

It must, however, be confessed, that from the density and transparency of the ice of fields, and the purity of the water obtained from them, it is difficult to conceive that it could possess such characters if frozen entirely from the water of the ocean;—particularly as young ice is generally found to be porous and opaque, and does not afford a solution altogether pure. The following

theory, therefore, is perhaps more consonant to appearances; and although it may not be established, has at least probability to recommend it.

It appears from what has been advanced, that openings may occasionally occur in the ice between Spitzbergen and the Pole, and that these openings will in all probability be again frozen over. Allowing, therefore, a thin field or a field of bay-ice to be formed in such an opening, a superstructure may probably be added by the following process. The frost, which almost constantly prevails during nine months of the year, relaxes towards the end of June or beginning of July, whereby the covering of snow annually deposited to the depth of two or three feet on the ice, dissolves. Now, as this field is supposed to arise amidst the older and heavier ice, it may readily occupy the whole interval, and be cemented to the old ice on every side, in such a manner as to prevent the melted snow from making its escape. Or, whatever be the means of its retention on the surface of the young field, whether by the adjunction of higher ice, the elevation of its border by the pressure of the surrounding ice, or the irregularity of its own surface, several inches of ice must be added to its thickness on the returning winter, by the conversion of the snow-water into solid ice. This process repeated for many successive years, or even ages, together with the enlargement of its underside from the ocean, might be deemed sufficient to produce the most stupendous bodies of ice that have yet been discovered; at the same time,

that the ice thus formed would doubtless correspond, in purity and transparency, with that of fields in general.

Fields may sometimes have their origin in heavy close *packs*, which, being cemented together by the intervention of new ice, may become one solid mass. In this way, are produced such fields as exhibit a rugged *hummocky* appearance.

Fields commonly make their appearance in the month of May or June, though sometimes earlier. They are frequently the resort of young whales. Strong north and westerly winds expose them to the whalers, by driving off the loose ice.

The invariable tendency of fields to drift to the south-westward, even in calms, is the means of many being yearly destroyed. They have frequently been observed to advance a hundred miles in this direction, within the space of one month, notwithstanding the occurrence of winds from every quarter. On emerging from amidst the smaller ice, which before sheltered them, they are soon broken up by the swell, are partly dissolved, and partly converted into drift-ice. The places of such, are supplied by others from the north.

The power of a swell in breaking the heaviest fields, is not a little remarkable. A *grown* swell, that is so inconsiderable as not to be observed in open water, frequently breaks up the largest fields, and converts them wholly into floes and drift-ice in the space of a few hours; while fields composed of bay-ice or light-ice, being more flexible, endure the same swell without any destructive effect.

The occasional rapid motion of fields, with the strange effects produced by such immense bodies on any opposing substance, is one of the most striking objects the polar seas present, and is certainly the most terrific. They not unfrequently acquire a rotatory movement, whereby their circumference attains a velocity of several miles per hour. A field thus in motion, coming in contact with another at rest, or more especially with another having a contrary direction of movement, produces a dreadful shock. A body of more than ten thousand millions of tons in weight, meeting with resistance, when in motion, produces consequences which it is scarcely possible to conceive! The weaker field is crushed with an awful noise; sometimes the destruction is mutual: pieces of huge dimensions and weight, are not unfrequently piled upon the top, to the height of twenty or thirty feet, while a proportionate quantity is depressed beneath. The view of those stupendous effects in *safety*, exhibits a picture sublimely grand; but where there is danger of being overwhelmed, terror and dismay must be the predominant feelings. The whale-fishers at all times require unremitting vigilance to secure their safety, but scarcely in any situation so much, as when navigating amidst those fields: in foggy weather, they are particularly dangerous, as their motions cannot then be distinctly observed. It may easily be imagined, that the strongest ship is but an insignificant impediment between two fields in motion. Numbers of vessels, since the establishment of the fishery, have been thus

destroyed; some have been thrown upon the ice, some have had their hulls completely torn open, or divided in two, and others have been overrun by the ice, and buried beneath its heaped fragments. The Dutch have lost as many as twenty-three sail of ships, among the ice, in one year. In the season of 1684, fourteen of their ships were wrecked, and eleven more remained beset during the winter.

In the year 1804, I had a good opportunity of witnessing the effects produced by the lesser masses in motion. Passing between two fields of bay-ice, about a foot in thickness, they were observed rapidly to approach each other, and before our ship could pass the strait, they met with a velocity of three or four miles per hour: the one overlaid the other, and presently covered many acres of surface. The ship proving an obstacle to the course of the ice, it squeezed up on both sides, shaking her in a dreadful manner, and producing a loud grinding, or lengthened, acute, tremulous noise, accordingly as the degree of pressure was diminished or increased, until it had arisen as high as the deck. After about two hours, the motion ceased; and soon afterwards, the two sheets of ice receded from each other, nearly as rapidly as they had before advanced. The ship, in this case, did not receive any injury; but had the ice been only half a foot thicker, she might have been wrecked.

In the month of May, of the year 1814, I witnessed a more tremendous scene. While navigating amidst the most ponderous ice which the Greenland sea pre-

sents, in the prospect of making our escape from a state of *besetment*, our progress was unexpectedly arrested by an isthmus of ice, about a mile in breadth, formed by the coalition of the point of an immense field on the north, with that of an aggregation of floes on the south. To the north field we moored the ship, in the hope of the ice separating in this place. I then quitted the ship, and travelled over the ice to the point of collision, to observe the state of the bar which now prevented our release. I immediately discovered, that the two points had but recently met; that already a prodigious mass of rubbish had been squeezed upon the top, and that the motion had not abated. The fields continued to overlay each other with a majestic motion, producing a noise resembling that of complicated machinery, or distant thunder. The pressure was so immense, that numerous fissures were occasioned, and the ice repeatedly rent beneath my feet. In one of the fissures, I found the snow on the level to be three and a half feet deep, and the ice upwards of twelve. In one place, hummocks had been thrown up to the height of twenty feet from the surface of the field, and at least twenty-five feet from the level of the water; they extended fifty or sixty yards in length, and fifteen in breadth, forming a mass of about two thousand tons in weight. The majestic unvaried movement of the ice,—the singular noise with which it was accompanied,—the tremendous power exerted,—and the wonderful effects produced, were calculated to excite sensations of novelty and grandeur, in

the mind of the most careless spectator!

THE BALÆNA MYSTICETUS, THE
COMMON OR GREENLAND
WHALE.

(*From the Same.*)

This valuable and interesting animal, generally called *The Whale* by way of eminence, is the object of our most important commerce to the Polar seas—is productive of more oil than any other of the Cetacea, and, being less active, slower in its motion, and more timid than any other of the kind, of similar or nearly similar magnitude, is more easily captured.

Large as the size of the whale certainly is, it has been much over-rated—for such is the avidity with which the human mind receives communications of the marvellous, and such the interest attached to those researches which describe any remote and extraordinary production of nature, that the judgment of the traveller receives a bias, which, in cases of doubt, induces him to fix upon that extreme point in his opinion which is calculated to afford the greatest surprise and interest. Hence, if he perceives an animal remarkable for its minuteness, he is inclined to compare it with something still more minute—if remarkable for its bigness, with something fully larger. When the animal inhabits an element where he cannot examine it, or is seen under any circumstances which prevent the possibility of his determining its dimensions, his decision will certainly be in that extreme which excites the

most interest. Thus a mistake in the size of the whale would be easily made. And there is every probability of such an error having been committed two or three centuries back, from which period some of our present dimensions have been derived, when we know that whales were usually viewed with superstitious dread, and their magnitude and powers, in consequence, highly exaggerated. Besides, errors of this kind having a tendency to increase rather than to correct one another, from the circumstance of each writer on the subject being influenced by a similar bias, the most gross and extravagant results are at length obtained.

Thus authors, we find, of the first respectability in the present day, give a length of 80 to 100 feet, or upwards, to the *Mysticetus*, and remark, with unqualified assertion, that when the captures were less frequent, and the animals had sufficient time to attain their full growth, specimens were found of 150 to 200 feet in length, or even longer; and some ancient naturalists, indeed, have gone so far as to assert, that whales had been seen of above 900 feet in length.

But whales, in the present day, are by no means so bulky. Of 322 individuals, in the capture of which I have been personally concerned, no one, I believe, exceeded 60 feet in length; and the largest I ever measured, was 58 feet from one extremity to the other, being one of the longest, to appearance, which I ever saw. An uncommon whale that was caught near Spitzbergen, about 20 years ago, the whalebone of which measured almost 15 feet, was not, I understand, so much

as 70 feet in length; and the longest actual measurement that I have met with, or heard of, is given by sir Charles Giesecké, who informs us, that, in the spring of 1813, a whale was killed at Godhavn, of the length of 67 feet. These, however, are very uncommon instances. I therefore, conceive, that 60 feet may be considered as the size of the larger animals of this species, and 65 feet in length as a magnitude which very rarely occurs.

Yet I believe that whales now occur of as large dimensions, as at any former period since the commencement of the whale-fishery. This point I endeavoured to prove, from various historical records, in a paper read before the Wernerian Society, on the 19th of December 1818, and since inserted in the "Edinburgh Philosophical Journal," No. I. p. 83.

In this paper, I brought forward the authorities of Zorgdrager, the writer of an account of the whale-fishery, and one of the early superintendants of the Dutch northern fisheries, together with opinions or remarks of captains Anderson, Gray, Heley, and others, who were among the earliest of the English whalers, which satisfactorily prove, that the average and largest produce of a whale in oil, was not greater, near two hundred years ago, than it is at the present time; and to these are added, the testimonies of captains Jenkinson and Edge, as to the length of the whale, which likewise corresponds, pretty nearly, with the measurements I have myself made.

Jenkinson, in his voyage to Russia, performed in 1557, saw a number of whales, some of

which, by estimation, were 60 feet long, and are described as being "very monstrous." Edge, who was one of the Russia company's chief and earliest whale-fishers, having been ten years to Spitzbergen, prior to the year 1625, calls the whale "a sea beast of huge bigness, about 65 foot long and 35 foot thick," having whalebone 10 or 11 feet long (a common size at present), and yielding about 100 hogsheads of oil; and, in a descriptive plate accompanying captain Edge's paper on the fishery, published by Purchas in 1625, is a sketch of a whale, with this remark subjoined,—“A whale is ordinarily about 60 foot long.”

Hence I conceive we may satisfactorily conclude, that whales of as large size are found now, as at any former period since the Spitzbergen fishery was discovered; and I may also remark, that where any respectable authority affords actual measurements exceeding 70 feet, it will always be found that the specimen referred to, was not one of the *Mysticetus* kind, but of the *B. Physalis*, or the *B. Musculus*, animals which considerably exceed in length any of the common whales that I have either heard of, or met with.

When fully grown, therefore, the length of the whale may be stated as varying from 50 to 65, and rarely, if ever, reaching 70 feet; and its greatest circumference from 30 to 40 feet. It is thickest a little behind the fins, or in the middle, between the anterior and posterior extremes of the animal; from whence it gradually tapers, in a conical form, towards the tail, and slightly towards the head. Its form is cy-

lindrical from the neck, to within ten feet of the tail, beyond which it becomes somewhat quadrangular, the greatest ridge being upward, or on the back, and running backward nearly across the middle of the tail. The head has somewhat of a triangular shape. The under-part, the arched outline of which is given by the jaw-bones, is flat, and measures 16 to 20 feet in length, and 10 to 12 in breadth. The lips, extending 15 or 20 feet in length, and 5 or 6 in height, and forming the cavity of the mouth, are attached to the under-jaw, and rise from the jaw-bones, at an angle of about 80 degrees, having the appearance, when viewed in front, of the letter U. The upper-jaw, including the crown-bone, or skull, is bent down at the extremity, so as to shut the front and upper parts of the cavity of the mouth, and is overlapped by the lips in a squamous manner at the sides.

When the mouth is open, it presents a cavity as large as a room, and capable of containing a merchant-ship's jolly-boat, full of men, being 6 or 8 feet wide, 10 or 12 feet high (in front), and 15 or 16 feet long.

The fins, two in number, are placed between one-third and two-fifths of the length of the animal, from the snout, and about two feet behind the angle of the mouth. They are 7 to 9 feet in length, and 4 or 5 in breadth. The part by which they are attached to the body, is somewhat elliptical, and about 2 feet in diameter; the side which strikes the water is nearly flat. The articulation being perfectly spherical, the fins are capable of motion in any direction; but,

from the tension of the flesh and skin below, they cannot be raised above the horizontal position. Hence the account given by some naturalists, that the whale supports its young by its fins, on its back, must be erroneous. The fins, after death, are always hard and stiff; but, in the living animal, it is presumed, from the nature of the internal structure, that they are capable of considerable flexion. The whale has no dorsal fin.

The tail, comprising, in a single surface, 80 or 100 square feet, is a formidable instrument of motion and defence. Its length is only 5 or 6 feet; but its width is 18 to 24 or 26 feet. Its position is horizontal. In its form it is flat and semi-lunar; indented in the middle; the two lobes somewhat pointed, and turned a little backward. Its motions are rapid and universal; its strength immense.

The eyes are situated in the sides of the head, about a foot obliquely above and behind the angle of the mouth. They are remarkably small in proportion to the bulk of the animal's body, being little larger than those of an ox. The whale has no external ear; nor can any orifice for the admission of sound be discovered until the skin is removed.

On the most elevated part of the head, about 16 feet from the anterior extremity of the jaw, are situated the blow-holes, or spiracles; consisting of two longitudinal apertures 6 or 8 inches in length. These are the proper nostrils of the whale. A moist vapour, mixed with mucus, is discharged from them, when the animal breathes; but no water

accompanies it, unless an expiration of the breath be made under the surface.

The mouth, in place of teeth, contains two extensive rows of "fins," or whalebone, which are suspended from the sides of the crown-bone. These series of fins are generally curved longitudinally, although they are sometimes straight, and give an arched form to the roof of the mouth. They are covered immediately by the lips attached to the lower jaw, and enclose the tongue between their lower extremities. Each series, or "side of bone," as the whalefishers term it, consists of upwards of 300* laminæ; the longest are near the middle, from whence they gradually diminish away to nothing at each extremity. Fifteen feet is the greatest length of the whalebone; but 10 or 11 feet is the average size, and 13 feet is a magnitude seldom met with. The greatest breadth, which is at the gum, is 10 or 12 inches. The laminæ, composing the two series of bone, are ranged side by side, two-thirds of an inch apart (thickness of the blade included) and resemble a frame of saws in a saw-mill. The interior edges are covered with a fringe of hair, and the exterior edge of every blade, excepting a few at each extremity of the series, is curved and flattened down, so as to present a smooth surface to the lips.

In some whales, a curious hollow on one side, and ridge on the other, occurs in many of the central blades of whalebone, at re-

gular intervals of 6 or 7 inches. May not this irregularity, like the rings in the horns of the ox, which they resemble, afford an intimation of the age of the whale? If so, twice the number of running feet in the longest lamina of whalebone in the head of a whale not full grown, would represent its age in years. In the youngest whales, called suckers, the whalebone is only a few inches long; when the length reaches 6 feet or upwards, the whale is said to be size. The colour of the whalebone is brownish-black, or bluish-black. In some animals, it is striped longitudinally with white. When newly cleaned, the surface exhibits a fine play of colour. A large whale sometimes affords a ton and a half of whalebone. If the "sample blade," that is, the largest lamina in the series weigh 7 pounds, the whole produce may be estimated at a ton; and so on in proportion. The whalebone is inserted into the crown-bone, in a sort of rabbit. All the blades in the same series are connected together by the gum, in which the thick ends are inserted. This substance (the gum,) is white, fibrous, tender and tasteless. It cuts like cheese; and has the appearance of the interior or kernel of the cocoa-nut.

The tongue occupies a large proportion of the cavity of the mouth, and the arch formed by the whalebone. It is incapable of protrusion, being fixed from root to tip, to the fat extending between the jaw-bones.

A slight beard, consisting of a few short scattered white hairs, surmounts the anterior extremity of both jaws.

* In a very small whale, the number was 316 or 320.

The throat is remarkably strait.

The male organ is a large flexible member, and is concealed in a longitudinal groove, the external opening of which is 2 or 3 feet in length. This member, in the dead animal, is 8 or 10 feet in length, and about 6 inches in diameter at the root. It tapers to a point, and is perforated throughout its length by the urethra.

Two paps in the female, afford the means of rearing its young. They are situated on the abdomen, one on each side of the pudendum, and are 2 feet apart. They appear not to be capable of protrusion, beyond the length of a few inches. In the dead animal, they are always found retracted.

The milk of the whale resembles that of quadrupeds in its appearance. It is said to be rich and well-flavoured.

The vent is about 6 inches behind the pudendum of the female; but, in the male, it is more distant from the organ of generation.

The colour of the *Mysticetus* is velvet-black, grey, (composed of dots of blackish-brown, on a white ground,) and white, with a tinge of yellow. The back, most of the upper-jaw, and part of the lower-jaw, together with the fins and tail, are black. The tongue, the fore part of the under-jaw and lips, sometimes a little of the upper-jaw, at the extremity, and a portion of the belly, are white. And the eye-lids, the junction of the tail with the body, a portion in the axillæ of the fins, &c. are grey. I have seen whales that were all over piebald. The older animals contain the most grey

and white; under-size whales are altogether of a bluish black, and suckers of a pale bluish, or bluish-grey colour.

The skin of the body is slightly furrowed, like the water-lines in coarse laid paper. On the tail, fins, &c. it is smooth. The cuticle, or that part of the skin which can be pulled off in sheets after it has been a little dried in the air, or particularly in frost, is not thicker than parchment. The rete mucosum in adults, is about three-fourths of an inch in thickness, over most parts of the body; in suckers, nearly two inches; but on the under side of the fins, on the inside of the lips, and on the surface of the tongue, it is much thinner. This part of the integuments, is generally of the same colour throughout its thickness. The fibres of which it is composed, are perpendicular to the surface of the body. Under this lies the true skin, which is white and tough. As it imperceptibly becomes impregnated with oil, and passes gradually into the form of blubber, its real thickness cannot easily be stated. The most compact part, perhaps, may be a quarter of an inch thick.

Immediately beneath the skin lies the *blubber* or fat, encompassing the whole body of the animal, together with the fins and tail. Its colour is yellowish-white, yellow or red. In the very young animal it is always yellowish-white. In some old animals, it resembles in colour the substance of the salmon. It swims in water. Its thickness all round the body, is 8 or 10 to 20 inches, varying in different parts as well as in different individuals.

The lips are composed almost entirely of blubber, and yield from one to two tons of pure oil each. The tongue is chiefly composed of a soft kind of fat, that affords less oil than any other blubber: in the centre of the tongue, and towards the root, this fat is intermixed with fibres of a muscular substance. The under-jaw, excepting the two jaw-bones, consists almost wholly of fat; and the crown-bone possesses a considerable coating of it. The fins are principally blubber, tendons, and bones, and the tail possesses a thin stratum of blubber. The oil appears to be retained in the blubber in minute cells, connected together by a strong reticulated combination of tendinous fibres. These fibres being condensed at the surface, appear to form the substance of the skin. The oil is expelled when heated; and, in a great measure, discharges itself out of the *fenks*, whenever putrefaction in the

fibrous parts of the blubber takes place. The blubber and the whalebone are the parts of the whale to which the attention of the fisher is directed. The flesh and bones, excepting the jaw-bones occasionally, are rejected. The blubber, in its fresh state, is without any unpleasant smell; and it is not until after the termination of the voyage, when the cargo is unstowed, that a Greenland ship becomes disagreeable.

Four tons of blubber, by measure, generally afford three tons of oil;* but the blubber of a sucker contains a very small proportion. Whales have been caught that afforded nearly thirty tons of pure oil; and whales yielding twenty tons of oil are by no means uncommon. The quantity of oil yielded by a whale generally bears a certain proportion to the length of its longest blade of whalebone. The average quantity is expressed in the following table:

Length of whale-bone in feet - -	1	2	3	4	5	6	7	8	9	10	11	12
Oil yielded in tons - - - - -	$1\frac{1}{2}$	$2\frac{1}{4}$	$2\frac{3}{4}$	$3\frac{1}{4}$	4	5	$6\frac{1}{2}$	$8\frac{1}{2}$	11	$13\frac{1}{2}$	17	21

Though this statement, on the average, be exceedingly near the truth, yet exceptions sometimes occur. A whale of $2\frac{1}{2}$ feet bone, for instance, has been known to produce near ten tons of oil; and another of 12 feet bone, only nine tons. Such instances, however, are very uncommon.

A stout whale of sixty feet in length is of the enormous weight of seventy tons; the blubber

weighs about thirty tons, the bones of the head, whalebone, fins and tail, eight or ten; carcass thirty or thirty-two.

The flesh of the young whale is of a red colour, and when cleared of fat, broiled, and sea-

* The ton or tun of oil is 252 gallons wine measure. It weighs, at temperature, 60°, 1933 lb. 12 oz. 14 dr. avoirdupois.

soned with pepper and salt, does not eat unlike coarse beef; that of the old whale approaches to black, and is exceedingly coarse. An immense bed of muscles surrounding the body is appropriated chiefly to the movements of the tail. The tail consists principally of two reticulated beds of sinewy fibres, compactly interwoven, and containing very little oil. In the central bed the fibres run in all directions; in the other, which encompasses the central one in a thinner stratum, they are arranged in regular order. These substances are extensively used, particularly in Holland, in the manufacture of glue.

Most of the bones of the whale are very porous, and contain large quantities of fine oil. The jaw-bones, which measure twenty to twenty-five feet in length, are often taken care of, principally on account of the oil that drains out of them, when they come into a warm climate. When exhausted of oil, they readily swim in water. The external surface of the most porous bones is compact and hard. The ribs are pretty nearly solid, but the crown-bone is almost as much honey-combed as the jaw-bones. The number of ribs, according to sir Charles Giesecké, is thirteen on each side. The bones of the fins are analogous, both in proportion and number, to those of the fingers of the human hand. From this peculiarity of structure, the fins have been denominated by Dr. Fleming "swimming paws." The posterior extremity of the whale, however, is a real tail; the termination of the spine, or os coccygis, running through the middle of it almost to the edge.

Few opportunities of examin-

ing the internal structure of the mysticetus occur; hence, what is known respecting its anatomy, is deduced principally from its analogy to other cetaceous animals.

The whale seems dull of hearing. A noise in the air, such as that produced by a person shouting, is not noticed by it, though at the distance only of a ship's length; but a very slight splashing in the water, in calm weather, excites its attention, and alarms it.

Its sense of seeing is acute. Whales are observed to discover one another, in clear water, when under the surface, at an amazing distance. When at the surface, however, they do not see far.

They have no voice; but, in breathing or blowing, they make a very loud noise. The vapour they discharge, is ejected to the height of some yards, and appears at a distance, like a puff of smoke. When the animals are wounded, it is often stained with blood; and, on the approach of death, jets of blood are sometimes discharged alone. They blow strongest, densest, and loudest, when *running*, when in a state of alarm, or when they first appear at the surface, after being a long time down. They respire or blow about four or five times a minute.

The whale being somewhat lighter than the medium in which it swims, can remain at the surface of the sea, with its "crown," in which the blow-holes are situated, and a considerable extent of the back, above water, without any effort or motion. To descend, however, requires an exertion. The proportion of the whale that appears above water,

when alive, or when recently killed, is probably not a twentieth part of the animal; but, within a day after death, when the process of putrefaction commences, the whale swells to an enormous size, until at least a third of the carcase appears above water, and sometimes the body is burst by the force of the air generated within.

By means of the tail, principally, the whale advances through the water. The greatest velocity is produced by powerful strokes against the water, impressed alternately upward and downward; but a slower motion, it is believed, is elegantly produced, by cutting the water laterally and obliquely downward, in a similar manner as a boat is forced along, with a single oar, by the operation of skulling. The fins are generally stretched out in an horizontal position: their chief application seems to be, the balancing of the animal, as the moment life is extinct, it always falls over on its side, or turns upon its back. They appear also to be used, in bearing off their young, in turning, and giving a direction, to the velocity produced by the tail.

Bulky as the whale is, and inactive, or indeed, clumsy as it appears to be, one might imagine that all its motions would be sluggish, and its greatest exertions productive of no great celerity. The fact, however, is the reverse. A whale extended motionless at the surface of the sea, can sink in the space of five or six seconds, or less, beyond the reach of its human enemies. Its velocity along the surface, or perpendicularly or obliquely downward, is the same. I have observed a whale descending, after I had harpooned it, to the depth

of 400 fathoms, with the average velocity of seven or eight miles per hour. The usual rate at which whales swim, however, even when they are on their passage from one situation to another, seldom exceeds four miles an hour; and though, when urged by the sight of an enemy, or alarmed by the stroke of a harpoon, their extreme velocity may be at the rate of eight or nine miles an hour; yet we find this speed never continues longer than for a few minutes, before it relaxes to almost one-half. Hence, for the space of a few minutes, they are capable of darting through the water, with the velocity almost of the fastest ship under sail, and of ascending with such rapidity as to leap entirely out of the water. This feat they sometimes perform, as an amusement apparently, to the high admiration of the distant spectator; but to the no small terror of the unexperienced fishers, who, even under such circumstances, are often ordered, by the foolhardy harpooner, to pull away to the attack. Sometimes the whales throw themselves into a perpendicular posture, with their heads downward, and, rearing their tails on high in the air, beat the water with awful violence. In both these cases, the sea is thrown into foam, and the air filled with vapours; the noise, in calm weather, is heard to a great distance; and the concentric waves produced by the concussions on the water, are communicated abroad to a considerable extent. Sometimes the whale shakes its tremendous tail in the air, which, cracking like a whip, resounds to the distance of two or three miles.

When it retires from the sur-

face, it first lifts its head, then plunging it under water, elevates its back like the segment of a sphere, deliberately rounds it away towards the extremity, throws its tail out of the water, and then disappears.

In their usual conduct, whales remain at the surface to breathe, about two minutes, seldom longer; during which time, they "blow" eight or nine times, and then descend for an interval usually of five or ten minutes; but sometimes, when feeding, fifteen or twenty. The depth to which they commonly descend, is not known, though, from the "eddy" occasionally observed on the water, it is evidently, at times, only trifling. But, when struck, the quantity of line they sometimes take out of the boats, in a perpendicular descent, affords a good measure of the depth. By this rule, they have been known to descend to the depth of an English mile; and with such velocity, that instances have occurred, in which whales have been drawn up by the line attached, from a depth of 700 or 800 fathoms, and have been found to have broken their jaw-bones, and sometimes crown-bone, by the blow struck against the bottom. Some persons are of opinion, that whales can remain under a field of ice, or at the bottom of the sea, in shallow water, when undisturbed for many hours at a time. Whales are seldom found sleeping; yet, in calm weather, among ice, instances occasionally occur.

The food of the whale consists of various species of actinæ, cliones, sepia, medusæ, cancri, and helices; or, at least, some of these genera are always to be seen wherever any tribe of whales

is found stationary and feeding. In the dead animals, however, in the very few instances in which I have been enabled to open their stomachs, squillæ or shrimps were the only substances discovered. In the mouth of a whale just killed, I once found a quantity of the same kind of insect.

When the whale feeds, it swims with considerable velocity below the surface of the sea, with its jaws widely extended. A stream of water consequently enters its capacious mouth, and along with it, large quantities of water insects: the water escapes again at the sides; but the food is entangled and sifted, as it were, by the whalebone, which, from its compact arrangement, and the thick internal covering of hair, does not allow a particle the size of the smallest grain to escape.

There does not seem to be a sufficient dissimilarity in the form and appearance of the mysticeti found in the polar seas, to entitle them to a division into other species; yet such is the difference observed in the proportions of these animals, that they may be well considered as sub-species or varieties. In some of the mysticeti, the head measures four-tenths of the whole length of the animal; in others scarcely three-tenths; in some the circumference is upwards of seven-tenths of the length; in others less than six-tenths, or little more than one-half.

The sexual intercourse of whales is often observed about the latter end of summer; and females, with cubs or suckers along with them, being most commonly met with in the spring of the year, the time of their bringing forth, it is presumed, is in February or March; and their

period of gestation about nine or ten months. In the latter end of April, 1811, a sucker was taken by a Hull whaler, to which the funis umbilicalis was still attached. The whale has one young at a birth. Instances of two being seen with a female are very rare. The young one, at the time of parturition, is said to be at least ten, if not fourteen feet in length. It goes under the protection of its mother, for probably a year, or more; or until, by the evolution of the whalebone, it is enabled to procure its own nourishment. Supposing the criterion before mentioned, of the notches in the whalebone being indicative of the number of years growth, to be correct, then it would appear that the whale reaches the magnitude called size; that is, with a six feet length of whalebone, in twelve years, and attains its full growth at the age of twenty or twenty-five. Whales, doubtless live to a great age. The marks of age are an increase in the quantity of grey colour in the skin, and a change to a yellowish tinge of the white parts about the head; a decrease in the quantity of oil yielded by a certain weight of blubber; an increase of hardness in the blubber, and in the thickness and strength of the ligamentous fibres of which it is partly composed.

The maternal affection of the whale, which, in other respects, is apparently a stupid animal, is striking and interesting. The cub, being insensible to danger, is easily harpooned; when the tender attachment of the mother is so manifested as not unfrequently to bring it within the reach of the whalers. Hence, though a cub is of little value,

seldom producing above a ton of oil, and often less, yet it is sometimes struck as a snare for its mother. In this case, she joins it at the surface of the water, whenever it has occasion to rise for respiration; encourages it to swim off; assists its flight, by taking it under her fin; and seldom deserts it while life remains. She is then dangerous to approach; but affords frequent opportunities for attack. She loses all regard for her own safety, in anxiety for the preservation of her young—dashes through the midst of her enemies—despises the danger that threatens her—and even voluntarily remains with her offspring, after various attacks on herself from the harpoons of the fishers. In June 1811, one of my harpooners struck a sucker with the hope of its leading to the capture of the mother. Presently she arose close by the *fast-boat*; and seizing the young one, dragged about a hundred fathoms of line out of the boat with remarkable force and velocity. Again she arose to the surface; darted furiously to and fro; frequently stopped short, or suddenly changed her direction, and gave every possible intimation of extreme agony. For a length of time she continued thus to act, though closely pursued by the boats; and, inspired with courage and resolution by her concern for her offspring, seemed regardless of the danger which surrounded her. At length one of the boats approached so near, that a harpoon was hove at her. It hit, but did not attach itself. A second harpoon was struck; this also failed to penetrate: but a third was more effectual, and held. Still she did not attempt to escape;

but allowed other boats to approach ; so that, in a few minutes, three more harpoons were fastened ; and, in the course of an hour afterwards, she was killed.

There is something extremely painful in the destruction of a whale, when thus evincing a degree of affectionate regard for its offspring, that would do honour to the superior intelligence of human beings ; yet the object of the adventure, the value of the prize, the joy of the capture, cannot be sacrificed to feelings of compassion.

Whales, though often found in great numbers together, can scarcely be said to be gregarious ; for they are found most generally solitary, or in pairs, excepting when drawn to the same spot, by the attraction of an abundance of palatable food, or of a choice situation of the ice.

The superiority of the sexes, in point of numbers, seems to be in favour of the male. Of 124 whales which have been taken near Spitzbergen in eight years, in ships commanded by myself, 70 were males, and 54 were females, being in the proportion of five to four nearly.

The mysticetus occurs most abundantly in the frozen seas of Greenland and Davis' Strait,—in the bays of Baffin and Hudson—in the sea to the northward of Behring's Strait, and along some parts of the northern shores of Asia, and probably America. It is never met with in the German Ocean, and rarely within 200 leagues of the British coasts : but along the coasts of Africa and South America, it is met with, periodically, in considerable numbers. In these regions, it is attacked and captured by the

southern British and American whalers, as well as by some of the people inhabiting the coasts to the neighbourhood of which it resorts. Whether this whale is precisely of the same kind as that of Spitzbergen and Greenland, is uncertain, though it is evidently a mysticetus. One striking difference, possibly the effect of situation and climate, is, that the mysticetus found in southern regions, is often covered with barnacles (*Lepas* *Diadema*, &c.) while those of the arctic seas are free from these shell-fish.

It would be remarkable, if an animal like the whale, which is so timid that a bird alighting upon its back sometimes sets it off in great agitation and terror, should be wholly devoid of enemies. Besides man, who is doubtless its most formidable adversary, it is subject to annoyance from sharks, and it is also said from the narwal, sword-fish, and thrasher. With regard to the narwal, I am persuaded that this opinion is incorrect, for so far from its being an enemy, it is found to associate with the whale with the greatest apparent harmony, and its appearance indeed in the Greenland sea is hailed by the fishers, the narwal being considered as the harbinger of the whale. But the sword-fish and thrasher (if such an animal there be) may possibly be among the enemies of the whale, notwithstanding I have never witnessed their combats ; and the shark is known certainly to be an enemy, though, perhaps, not a very formidable one. Whales, indeed, flee the seas where it abounds, and evince, by marks occasionally found on their

tails, a strong evidence of their having been bit by the shark. A living whale may be annoyed, though it can scarcely be supposed to be ever overcome by the shark; but a dead whale is an easy prey, and affords a fine banquet to this insatiable creature.

The whale, from its vast bulk and variety of products, is of great importance in commerce, as well as in the domestic economy of savage nations; and its oil and whalebone are of extensive application in the arts and manufactures.

Though to the refined palate of a modern European, the flesh of a whale, as an article of food, would be received with abhorrence, yet we find that it is considered, by some of the inhabitants of the northern shores of Europe, Asia, and America, as well as those on the coasts of Hudson's Bay and Davis' Strait, as a choice and staple article of subsistence. The Esquimaux eat the flesh and fat of the whale, and drink the oil with greediness. Indeed, some tribes who are not familiarised with spirituous liquors, carry along with them in their canoes, in their fishing excursions, bladders filled with oil, which they use in the same way, and with a similar relish, that a British sailor does a dram. They also eat the skin of the whale raw, both adults and children, for it is not uncommon, when the females visit the whale-ships, for them to help themselves to pieces of skin, preferring those with which a little blubber is connected, and to give it as food to their infants suspended on their backs, who suck it with apparent delight. Blubber, when

pickled and boiled, is said to be very palatable; the tail, when parboiled and then fried, is said to be not unsavoury, but even agreeable eating; and the flesh of young whales, I know from experiment, is by no means indifferent food.

Not only is it certain that the flesh of the whale is now eaten by savage nations, but it is also well authenticated that, in the 12th, 13th, 14th, and 15th centuries, it was used as food by the Icelanders, the Netherlands, the French, the Spaniards, and probably by the English. M. S. B. NOEL, in a tract on the whale-fishery,* informs us, that about the 13th century, the flesh, particularly the tongue, of whales, was sold in the markets of Bayonne, Cibourre, and Beariz, where it was esteemed as a great delicacy, being used at the best tables; and even so late as the 15th century, he conceives, from the authority of Charles Etienne, that the principal nourishment of the poor in Lent, in some districts of France, consisted of the flesh and fat of the whale.

Besides forming a choice eatable, the inferior products of the whale are applied to other purposes by the Indians and Esquimaux of arctic countries, and with some nations are essential to their comfort. Some membranes of the abdomen are used for an upper article of clothing, and the peritoneum in particular, being thin and transparent, is used instead of glass in the windows of their huts; the bones are converted into harpoons and

* "Memoire sur l'Antiquité de la Pêche de la Baleine par les Nations Européennes."

spears, for striking the seal, or darting at the sea-birds, and are also employed in the erection of their tents, and with some tribes in the formation of their boats; the sinews are divided into filaments, and used as thread, with which they join the seams of their boats, and tent-cloths, and sew with great taste and nicety the different articles of dress they manufacture; and the whalebone, and other superior products, so valuable in European markets, have also their uses among them.

I shall conclude this account of the *Mysticetus* with a sketch of some of the characters which belong generally to cetaceous animals.

Whales are viviparous; they have but one young at a time, and suckle it with teats. They are furnished with lungs, and are under the necessity of approaching the surface of the water at intervals to respire in the air. The heart has two ventricles and two auricles. The blood is warmer than in the human species; in a narwal that had been an hour and a half dead, the temperature of the blood was 97° ; and in a *mysticetus* recently killed, 102° . All of them inha-

bit the sea. Some of them procure their food by means of a kind of sieve, composed of two fringes of whalebone; these have no teeth. Others have no whalebone, but are furnished with teeth. They all have two lateral or pectoral fins, with concealed bones like those of a hand; and a large flexible horizontal tail, which is the principal member of motion. Some have a kind of dorsal fin, which is an adipose, or cartilaginous substance, without motion. This fin varying in form, size, and position, in different species, and being in a conspicuous situation, is well adapted for a specific distinction. The appearance and dimensions of the whalebone and teeth, especially the former, are other specific characteristics. All whales have spiracles or blowholes, some with one, others with two openings, through which they breathe; some have a smooth skin all over the body; others have rugæ or sulci about the region of the thorax, and on the lower jaw. And all afford, beneath the integuments, a quantity of fat or blubber, from whence a useful and valuable oil, the train-oil of commerce, is extracted.

SCIENCE.

INVENTIONS, DISCOVERIES, &c.

AGRICULTURE, HORTICULTURE, AND BOTANY.

To prevent Mildew in Wheat.—Salt one part, water eight parts. With this mixture sprinkle the diseased corn. Where the corn is sown in drills, this may be done with a watering-pot; but the best and most expeditious mode is with a flat brush, such as white-washers use, having a tin collar made water-tight round the bottom, to prevent the mixture dropping down the operator's arm, and running to waste. The operator having a pail of salt and water in one hand, and dipping the brush into the mixture with the other, makes his regular casts, as when sowing corn broadcast; in this way he will readily get over ten acres in the day. About two hogsheads will do one acre: wherever the mixture touches, in three or four days the mildew will disappear, and upon those parts that escape, the sprinkling must be repeated.

Advantages of Gypsum as a Manure.—The advantages arise from growing upon land exhausted by tillage, and requiring rest, seeds laid down with saint-foin or lucern, producing from two to three tons per acre of hay,

when the soil, without such aid, would not produce one ton per acre; and if gypsum be sown upon clover designed to be ploughed up for wheat, that crop is generally found benefited in the proportion of three and a half, or three to four the excess; and on one occasion, a field of seventeen acres that had been gypsumed on clover, produced an excess of near four and a half, throughout the crop.

All soils that are naturally dry will take gypsum, but its effect appears to be wonderfully increased and more certain, if the ground is previously dressed with a chalking of from 30 to 60 cart loads of that material per acre, and this will be perceived, though the land has been chalked twenty or thirty years before.

Improved Method of Grafting Trees.—The common method of grafting, by making a transverse section in the bark of the stock, and a perpendicular slit below it, is frequently unsuccessful.—It is recommended in a late number of the *Annales de Chimie* to reverse the operation, by making the vertical slit above the transverse section, and pushing the bud upwards into its position.

Smut in Wheat prevented.—

The Bibliotheque Physico-Economique recommends the following process as the only one effectual against this evil. In order to destroy the germ of the blight in $4\frac{1}{2}$ bushels (or 256 pounds) of corn, from 6 to 7 gallons of water, and from 35 to 48 oz. avoirdupois, of quick lime must be used, according to the extent of the blight. Slake the lime in a portion of the water heated, and then add the rest; the heat being no more than the hand can endure. Then pour it upon the corn, which must be placed in a tub, and stirred continually, first with a stick, afterwards with a shovel; and the fluid will soon be absolved by the grain. In this state it should remain 24 hours, and in that period be turned over five or six times. Whatever fluid drains off, is then to be separated and after standing a few hours the seed may be sown. If not intended for immediate use, it should be put into a heap and moved twice a day till dry. The grain thus prepared germinates sooner than any other, and with more certainty; besides which insects will not attack it.

Arakatscha.—Europe owes infinite gratitude to the memory of sir Francis Drake, who first introduced from America the potatoe. It has been lately stated, that there grows in *Santa Fe de Bagota*, a root even more nourishing and as prolific as that plant. It is called arakatscha, and resembles the spanish chesnut in taste and firmness. It is indigenous to the Cordilleros, a climate as temperate as that of Europe, and might be cultivated here with the same facility as the potatoe.

Method of destroying Caterpil-

lars.—A gardener at Glasgow practises a mode of destroying caterpillars, which he discovered by accident. A piece of woollen rag had been blown by the wind into a currant-bush, and when taken out was found covered by these leaf-devouring insects. He immediately placed pieces of woollen cloth in every bush in his garden, and found next day that the caterpillars had universally taken to them for shelter. In this way he destroys many thousands every morning.

Preservation of Fruit from Wasps.—Andrew Knight, Esq. F.R.S., the president of the Horticultural Society, has communicated the fact, that his vinery, which was formerly much damaged by numerous swarms of wasps, has lately been wholly freed from their destructive encroachments, by the circumstance of some young yew-trees, near the vinery, coming into bearing. These have subsequently produced, in every season, an abundant crop of berries, upon which the wasps have preyed with much avidity, apparently preferring the fruit of the yew-tree to that of the vine. The taste of the yew-berry indicates the presence of much saccharine matter, which is mixed with mucilage in a very concentrated state, and it is therefore probably very nutritious.

Method of preserving Fruit Trees from the Effects of Frost.—M. Bienenberg, of Lignitz, in Siberia, has contrived a sort of rope, from the use of which he has, during many years, derived great advantages. With these ropes which are made of straw or hemp, he envelopes fruit trees, the ends of the ropes being put

into, and reaching to the bottom of a vessel filled with spring water.

A single vessel will suffice for several trees, by winding the same rope, or many united ropes, around all of them, and placing the two ends in the vessel. The vessel should be four or five yards distant from the trees, taking care that the branches do not touch the ice upon the surface of the water.

This singular preservative has been proved in many places of Prussia and Poland, and always with success. The lovers of horticulture should avail themselves of it, particularly for apricots, which, blossoming early, are more exposed to the destructive effects of late frosts, than most other trees.

Mulberry Trees.—In an historical account of fruits lately published under the title of “*Pomarium Britannicum*,” is an interesting description of the mulberry-tree, to which the author adds, “Should a few spirited land-proprietors make the experiment of grubbing up their hedge-rows, and planting fences of mulberry-trees, I have no doubt but that in a few years they would reap as good a profit from their hedges as from their corn. It would find immediate employ for many labourers, and would in time require the assistance of thousands of the lower classes to gather the leaves, and attend to the breeding and feeding of the silk-worms, the winding of the silk, &c. Indeed, the whole process is calculated as an employ for the aged and the infirm, who being unable to do laborious work, must now, of necessity, add to the weight of the parochial taxes. I am fully of opinion that

it would be the foundation of a permanent reduction in the poor-rates which must continue to augment, unless employ be found equal to the increase of the population.”

Rid-plough.—A plough has been invented for tilling rough land, thus named. It is so constructed that it cannot be choaked up before and behind the coulter, and in the point of the irons, with warped grasses or weeds, fresh sea-ware, straw-yard dung, or even a rough stubble in wet weather, and will go as clear through a field of full-grown grain as on a smooth lea, and nothing will stop it save stocks and stones. It is thus of the greatest importance to the farmer, when the loss of time, waste of strength of man and horses, and the inadequate manner in which the work is performed by ordinary ploughs, are considered. The principal alteration is in the beam and coulter, and it is more easily guided and drawn than the common plough.

ARTS AND MANUFACTURES.

Coloured Artificial Stones.—M. Doualt-Wieland, a jeweller of Paris, has published a curious memoir on this subject, in which he gives an account of numerous experiments made by him, particularly as to the composition of what is technically termed *strass*, the basis of all artificial stones. Strass is composed of potass, borax, oxide of lead, and arsenic. The silex may be in the form of rock crystal, sand, or flint. The first of these affords a glass or strass of the whitest colour; flint, on the contrary, always contains

a very small portion of iron that gives a yellow tinge to the glass. The purest sort of sand must be chosen, and washed, first in muriatic acid, and afterwards in water, before it be used. In order to pulverize and sift the rock crystal and flint, they must first be made of a red heat, and then plunged into cold water. The potass must be free from every other salt: it should be the caustic potass purified by alcohol. The crystallized boracic acid, extracted from the borax of Tuscany is the most preferable. If the oxide of lead contain a particle of tin, the strass or glass becomes cloudy or milky. Minium is preferable to the purest litharge. Ceruse may also be used. Arsenic must be pure: with respect to this last, some persons do not employ it at all, and M. Lançon says that it is injurious to the workman.

The choice of crucibles is very important. Those of Hesse are better than even porcelain ones. The former, indeed, sometimes colour the matter, as they contain a small portion of iron, but the others though pure are apt to crack and are somewhat porous. An earthen furnace is the best for the purpose, and the crucibles should remain in the fire about 24 hours. The more gentle the process of fusions, and the longer the time employed in it, the purer and harder the strass. The best fuel is dried wood.

Yellow Dye for Wool, Silk, Cotton, and Hemp.—For this purpose M. Braconnot recommends realgar or sulphuret of arsenic in the following manner:—Mix one part sulphur, two parts white oxide of arsenic, and five parts potash of commerce, and melt

them in a crucible at nearly a red heat. The yellow mass thus obtained must then be dissolved in hot water, and the liquor filtered in order to separate it from the sediment. After this it must be diluted with water, and sulphuric acid poured upon it of such a strength as to produce a fleecy precipitate of a superb yellow colour, which on being washed on a cloth freely dissolves in ammonia, and yields a yellowish liquor: into this is poured an excess of ammonia so as to discolour it entirely. The dye is then obtained, and any shade may be formed by diluting it more or less with water. When a stuff is first taken out it is colourless, but gradually assumes a yellow colour as the ammonia evaporates. The colour thus obtained is permanent, and resists all agents excepting the alkalies, and may be used for tapestry, velvets, painted papers, &c. &c. In using the dye all metallic utensils must be carefully avoided.

Aurum Millium.—It having been a great desideratum with watch-makers, plate-workers, &c. &c. to procure a new metal resembling gold, and possessing some of its best qualities. Mr. Mill has been induced to apply himself to this particular object. After long trial and perseverance, he discovered a metal which he calls aurum millium, and which he has no doubt will answer most of the purposes of gold, without being subject to the numerous imperfections of petit-or, pinchbeck, &c. &c. In colour it resembles 60s. gold, and is nearly as heavy in specific gravity as jeweller's gold. It is malleable, and has the invaluable property of not easily tarnishing, to which

the metals just mentioned, and all other imitations of gold are so particularly liable. It is very hard and sonorous, and requires care in the working. The price of it being from 4s. to 4s. 6d. an ounce, will not be an obstacle to its general use, and he has no hesitation in saying, that for beauty there is not any metal that exceeds it, as it is susceptible of an exquisite polish.

Dyeing Cloth in the Piece.—It is universally known, that when cloth is dyed in the piece, the colour fixes itself only on the two surfaces, and hardly penetrates the middle of the cloth, so that when it is cut, the inner part appears white, or, at most, only faintly coloured, which is an incontestable proof that it had been dyed in the piece.—Some colours—the cochineal scarlet, for example—can only be properly given to the cloth after it is manufactured, because the operations of carding, spinning, and fulling, would destroy the beauty of the dye: on this account the cochineal scarlet is the dye which sinks the least into the texture of the cloth, and shews the white seam very distinctly. The count de la Boulaye-Marsillon, director and professor in the school of the Gobelins, has contrived a very simple and ingenious process for remedying this inconvenience. He supposes that the water with which the cloth is soaked before it is immersed in the dye vat, resists the introduction of the colouring matter within its fibres, and compels it to remain and be fixed on the surface. The author of this invention proceeds in the following manner: he fixes at the bottom of the boiler a kind of rolling press, the two cylinders

of which are parallel to each other, and of course are as long as the breadth of the cloth to be dyed, and may be fixed at any requisite distance, from each other, according to the thickness of the cloth. The cylinders are entirely immersed in the colour-bath. At opposite extremities of the boiler are fixed two winches, the axes of which are parallel to those of the cylinder. The piece of cloth is then fixed round one of the winches, and is wound off to the other, passing in its way through the cylinders of the rolling press, which are set so close to each other as to press the cloth considerably. This operation is continued backwards and forwards, from one winch to the other, till the dye is of sufficient intensity. The effect produced by this contrivance is obvious; the pressure of the cylinders forces out of the cloth the water which it had imbibed, and the colouring matter being instantly presented to it, meets with no obstacle to its thorough penetration.

Imperishable Cement.—Mr. Randolph, of Richmond, in the United States, has announced the discovery of a cement which resists the action of water and fire, and which contracts additional hardness with time. The composition consists of two fossils of a mineral or volcanic substance. Two bricks joined together by this cement, were laid in water on the 1st of June, 1817, and when taken out in August 1818, formed a solid and compact mass, the cement having grown as hard as the bricks. Another experiment has been made, by applying the cement to the surface of a piece of brick-work, exposed to

the air, and the result has proved equally creditable to the value of this invention.

Varnish for Wood.—The Italian cabinet work excels in this respect that of any other country. To produce this effect, the workmen first saturate the surface with olive oil, and then apply a solution of gum arabic in boiling alcohol. This mode of vanishing is equally brilliant, if not superior, to that employed by the French in their most elaborate works.

Incombustible cloth.—An experiment has lately been exhibited at Nantes, which was performed on a quantity of cords and cloth, rendered proof against the process of inflammation. These cloths held over the flame of a candle, would not take fire; but the spot immediately exposed to the action of the flame mouldered away, without, properly speaking, igniting; and this did not spread further in the cloth. Such fire-proof materials may be very desirable on many occasions, and in many professions.

Cast Steel.—At a late meeting of the Helvetic “Society of Natural Sciences,” professor Pictet of Geneva, read an account of two experiments made on cast steel specimens of the manufacture of Col. Fischer of Schaffhausen. Of this manufacture other specimens also were submitted to the society, together with tools and implements of all sorts, forged of this steel, whether alone, or united to iron; and this last property was reported to be peculiar to itself, and not to be found in the cast steel manufactured in England. Many favourable certificates from the artists of Geneva, who had employed

these tools, accompanied the specimens; and reported them to be superior to the English. M. Pictet also shewed two curious specimens of cast steel, crystallized in the crucible; one with contact of air, the other without. The first presented a rough surface; the other was much smoother, and covered with slighter ramifications, not unlike those visible in water in the state of freezing. It is also hinted in this report, that the British manufacture has deteriorated in late years. Much allowance may be made for national prejudice, and patriotic partiality; but this observation, as it affects our countrymen, is too serious to escape our notice, and ought not to escape theirs.

ASTRONOMY.

Eclipse of the Sun.—The solar eclipse on the 7th of September, was the largest one that either has been visible in this part of the globe, since April 1, 1714, or that will be so before that which will take place in 1847. The central eclipse commenced at 12 ho. 54 min. 40 sec. apparent time at Greenwich, in lat $81^{\circ} 30'$ min. 30 sec. North—and long. $149^{\circ} 33'$ min. West of Greenwich. The sun was centrally eclipsed on the meridian at 1 ho. 8 min. 15 sec. in lat. $76^{\circ} 6'$ min. 20 sec. N.—and long. $17^{\circ} 3'$ min. 20 sec. W. The centre of the moon's shadow, after quitting the coast of Greenland passed a little to the west of Mayness island; thence it proceeded up the North Sea, about midway between the Shetland Isles and the coast of Norway, leaving every part of Britain

to the west. It entered the continent of Europe between Embden and the Weser, and in crossing the confederation of the Rhine it passed by Cassel, Wurtzburg, and Munich. Afterwards crossed a part of Italy, entered the Gulf of Venice, and crossed the heel of Italy, passing over the Gulf of Tarento, and leaving the coast of Morea and Candia about a degree to the east, entered Egypt and Arabia, and finally left the earth near the Persian Gulf, in 3 ho. 8 min. 10 sec. in lat. $27^{\circ} 10 \text{ min. } 30 \text{ sec. N.}$ and long $46^{\circ} 2 \text{ min. E.}$ of Greenwich. The total duration of the central eclipse was 2 ho. 13 min. 30 sec. The general eclipse commenced at 11 ho. 23 min. in lat. $59^{\circ} 43 \text{ min. N.}$ and long $90^{\circ} 50 \text{ min. W.}$ and finally left the earth at 4 ho. 39 min. 45 sec. in lat. $3^{\circ} 21 \text{ min. N.}$ and long. $20^{\circ} 25 \text{ min. E.}$ making the total duration of the general eclipse, 5 ho. 16 min. 45 sec.

During the eclipse, Venus was seen at 20 minutes before 2 o'clock (with the naked eye) and lost sight of at 20 minutes after 2 o'clock, in consequence of the great light in that part of the hemisphere. Mars was also visible for a few minutes, about the same time.

The course of the series of eclipses of the sun connected with this one has been laid down by Mr. Smith, according to whom this eclipse was first visible to Britain, April 30th, 1622, since which it has kept increasing in magnitude. During that of 1764, only 4 digits of the sun's disk were obscured. In 1820, 5 digits, and again in the same year more than 10 digits. In 1892, he states the sun will go down

eclipsed at London, and again in the same year the passage of the centre will be in the expanse, though there will be 2 digits eclipsed at London, Oct. 31st of that year: and about the year 2090, the whole penumbra will be worn off, so that no more returns of this eclipse can happen till after a revolution of 10,000 years.

Comets.—It is now ascertained that one and the same comet returned to our system in 1786, 1795, 1801, 1805, and 1818-19. It appears that it never ranges beyond the orbit of Jupiter. Its short period of little more than $3\frac{1}{4}$ years, and its mean distance from the sun, which is not much greater than twice that of the earth, connect it in a particular manner with that part of the system in which we are placed: of course it crosses the orbit of the earth more than sixty times in the course of a century.

According to the calculation of M. Olbers, of Bremen, after a lapse of 83,000 years, a comet will approach to the earth in the same proximity as the moon; after 4,000,000 years, it will approach to the distance of 7,700 geographical miles; and then, if its attraction equals that of the earth, the waters of the ocean will be elevated 13,000 feet, and cause a *second deluge*. After 220,000,000 years, it will clash with the earth.

CHEMISTRY.

New vegetable Alkalies.—In consequence of the discovery of morphia, other bodies belonging to the class of vegetable alkalies have been sought for. Of

these, four new ones have been met with, viz. *brucine*, *delphine*, *veratrine*, and *piperine*; so that, with strychnine and morphia, the number now amounts to six. *Brucine* was obtained from the Angustura bark (*brucæa antidysenterica*) by the following process:—A kilogramme (32 oz. troy) of this bark was pulverized, and then purified by ether; afterwards alcohol, in successive portions, was made to act upon it, and the different infusions added together and evaporated, in order to separate the alcohol. The extract was then dissolved in water, precipitated by subacetate of lead, filtered, and the excess of lead separated from the solution by sulphuretted hydrogen. Strychnine being the substance sought for, this solution, so far purified, was acted on by magnesia, and an alkali thus became evident; yet, on washing the magnesia, it passed off in solution, and did not, as would have been the case with strychnine, continue insoluble. On evaporating the washings, a solid mass, of a very alkaline nature, was obtained; this was the new alkali. This was then combined with oxalic acid, in order to purify it still more. The salt, thus obtained, was washed in alcohol, in which it was very soluble, until it became colourless; then being decomposed by lime or magnesia, the alkali was liberated, after which it was dissolved in boiling alcohol, and obtained in crystals, by spontaneous evaporation.

Delphine—was discovered by MM. Lassaigne and Fenuelle in Stavesacre (*delphinium staphysagria*), and is obtained by the following process:—The seeds,

having been deprived of their husks and grounds, are boiled in a small quantity of distilled water, and then pressed in a cloth; the decoction is then filtered, and boiled for a few minutes with pure magnesia; after which it is re-filtered, and the residuum left on the filter is well washed, and subsequently boiled with highly rectified alcohol, which dissolves out the alkali. Being evaporated, it is then obtained as a white pulverulent substance, presenting only a few crystalline points.

When pure, delphine is crystalline when wet, but soon becomes opake by exposure to the air on drying. Its taste is bitter and acrid. When heated it melts, and on cooling it becomes hard and brittle, like resin. If heated more highly, it blackens and is decomposed. Water dissolves a very small portion of it, but alcohol and ether dissolve it very readily. The alcoholic solution turns syrup of violets green, and restores the blue tint of litmus reddened by an acid. With the acids it forms neutrals salts, which are very soluble. Alkalies precipitate it in a white gelatinous state, like alumine.

Veratrine—was discovered by MM. Pelletier and Caverton in the *veratrum sabadilla* or *cevadilla*, the *veratrum album*, or white hellebore, and the *colchicum autumnale*, or meadow saffron. The substance from which it was chiefly obtained was the seed of the *cevadilla*.

Piperine—was obtained by M. Oersted from pepper, by digesting it in alcohol; after which muriatic acid is added, and then water. The resin is precipitated, and the muriate of piperine remains in solution. The solution is after-

wards exposed to evaporation, and then decomposed by pure potash, which precipitates the new alkali.

In cold water piperine is nearly insoluble, and only very slightly soluble in boiling water. It dissolves in alcohol, and the solution has a greenish yellow colour, which, by the addition of nitric acid, is rendered a perfect green. Its taste is very acrid. With sulphuric and acetic acids it forms salts nearly insoluble in water. The muriate is moderately soluble. Its capacity of saturation appears to be very small.

Besides the above, other vegetable alkalies have been discovered; one from the fruit of the *capricum annum*, by M. Forchhammer: this is extremely acrid, is more soluble in water, and has a greater capacity for saturation than other vegetable alkalies, and forms a triple salt with the protoxide of lead and muriatic acid, which is as acrid as the alkali itself. New alkalies have been likewise discovered in *Datura stramonium*, *hyosciamus niger*, *aconitum napellus*, *atropa belladonna*, and *cicuta virosa*. That from the *atropa* constitutes the ingredient which gives the plant its peculiar properties. Its colour is brilliant and white. It crystallizes in long needles; is tasteless and slightly soluble in water and alcohol; withstands a moderate heat; forms regular salts with acids, and neutralizes a considerable portion of acid. Atropine and potash, mixed together, and exposed to a red heat, yield ashes, which, when mixed with muriate of iron, produce a lively red colour. The alkali obtained from the *hyosciamus niger*, is not easily altered,

even when heated to redness with charcoal. It crystallizes in long prisms, and when saturated with sulphuric acid, and especially with nitric acid, forms very characteristic salts.

Conversion of Wood, &c. into Sugar.—Dr. Vogel, member of the royal academy of sciences, has submitted to a careful examination in the laboratory of the academy of Munich, the surprising discovery of Mr. Braconnot, of Nancy, of the effects of concentrated sulphuric acid on wood and linen. He has not only fully confirmed this discovery, so as to lay before the academy an essay on the subject, and show the products resulting from the original experiments, but also extended his own experiments, with equal success, to other similar vegetable substances, such as old paper, both printed and written upon, and cut straw. By diluting the sulphuric acid with a due addition of water, saw-dust, cut linen, paper, &c. were converted into gum and saccharine matter. It must excite great interest in all reflecting minds, to see an indissoluble, tasteless substance, like the filaments of wood, converted, by chemical re-action, into two new bodies, and chemistry thus exercise a power, which, but lately, appeared to belong to nature alone, and in particular to vegetation. For this artificial formation of sugar and gum, now discovered, must not be confounded with the extraction of these two substances from bodies in which they already existed, a process which has been known from time immemorial. What has now been discovered, is a *transformation*, a *metamorphosis*, of which the most inge-

nious chemist had previously no idea; and it affords a new proof of the boundless extent of the domain of practical chemistry. A paper upon Dr. Vogel's repetition and investigation of Mr. Braconnot's experiments, and those added by himself, is promised in one of the next numbers of the journal of arts and manufactures, published by the Bavarian Polytechnic Society

Pyroligneous Acid.—This acid, formed by the destructive distillation of wood, has the same properties of preserving animal substances from putrefaction as the smoke of burnt wood. The antiseptic effects of this acid are obtained by simply dipping the substance intended to be preserved into it. If immersed for several hours, a partial decomposition will commence, and a disagreeable empyreuma and acid taste will be occasioned.

Conversion of Animal Matter into new Substances, by the sulphuric Acids. — M. Braconnot after having ascertained that all ligneous substances, such as wood, straw, hemp, &c., may be converted both into gum and sugar by the sulphuric acid, made similar experiments on animal substances, he found that gelatine may be converted, by the same acid, into a crystallized sugar, *sui generis*, which crystallizes more readily than that from the cane, is less fusible, and contains azote. Its sweetness is nearly equal to that of sugar of grapes. Its solubility in water is not more than that of sugar of milk, with which it has, at first sight, some analogy. Being slowly evaporated, it yields crystal as hard as sugar candy, in the form of flat prisms. The

sugar of gelatine combines intimately with nitric acid with sensible decomposition, and even without the aid of heat, and then forms a new acid, called, by M. Braconnot, *nitro-saccharic*. This acid is very soluble, and crystallizes with great facility in fine colourless prisms, transparent, flat, and striated like those of sulphate of soda. It is acid to the taste, slightly saccharine, and very like tartaric acid. In metallic or earthy solutions it produces no change. United to potash, it forms a super-salt, and a neutral salt, both of which crystallize in fine needles, which have a sort of nitrous taste. It detonates like nitre, on burning coals. The new acid dissolves carbonate of lime with a strong effervescence, and the solution yields fine prismatic needles. This salt does not attract humidity, nor is it hardly soluble in concentrated alcohol. Being thrown on burning coals, it melts in its water of crystallization, and then detonates. Combined with oxide of copper, the nitro-saccharic acid forms a crystallizable salt, unalterable in the air; with magnesia, a deliquescent uncrystallizable salt; and with oxide of lead, an uncrystallizable salt, unalterable in the air, and resembling gum. It dissolves iron and zinc with the disengagement of hydrogen gas, the results of which are uncrystallizable combinations.

When treated with sulphuric acid, *wool*, and particularly *fibrine*, yield a white pulverulent substance, termed by M. Braconnot *leucine*. A solution of this, in lukewarm water, being evaporated spontaneously, a number of small isolated crystals is formed on its

surface flat and perfectly circular, with a point, or a depression, in their centre. Leucine has the taste of juice of meat; appears to be specifically lighter than water; melts at a temperature considerably above that of boiling water, giving a scent of putrid meat, and subliming partly in the form of white insulated crystals; dissolves easily in nitric acid, and produces fine colourless and divergent needle crystals, which are a *new acid analogous to the nitro-saccharic*. This *nitro-leucic acid* forms, with saltifiable bases, salts that have quite a different arrangement from the *nitro-saccharates*. Combined with lime, it yields a salt which crystallizes in small rounded groupes, and is unalterable in the air, and which, thrown on a burning coal, fuses less rapidly than the *nitro-saccharate of lime*. With magnesia it also yields a salt in small crystalline grains, which does not attract humidity like the *nitro-saccharate of magnesia*.

Purification of Pyroligneous Acid.—This acid, the vinegar of wood, the antiseptic properties of which are noticed in the article Pyroligneous Acid, may be freed from all impurities, by treatment with sulphuric acid, manganese, and common salt, and subsequent distillation. Haddocks and herrings have been successfully cured with this acid, which seems adapted to the preservation of every species of animal food.

Metallic Vegetations.—Place a few filings of copper and iron on a glass plate, at a certain distance one from the other; drop a little nitrate of silver on each parcel—the silver will soon begin to precipitate, while the iron and cop-

per will oxidise and become coloured: then, by a small wooden point, the ramifications may be arranged at will, whilst the flame of a taper, being placed under the plate, will increase the evaporation, facilitate the re-action of the substances, blacken the lower side of the plate, and thus form a design.

Nitrate of Silver.—M. Brandenbourg has pointed out an economical method of separating silver from copper, or of making pure nitrate of silver from an alloy of silver and copper, which is an object of considerable importance to practical chemists. His method is as follows:—

He dissolves the alloy of silver and copper in nitric acid, and evaporates the liquid to dryness in a glass vessel. The salt is then put into an iron spoon, and exposed to a moderate heat, keeping the salt in a state of fusion till all ebullition is at an end. It is then poured upon an oiled slab. If the liquid, which ought to have been at first transparent and colourless, does not acquire the least tint of blue, we may conclude that it contains no copper.

Chemical Analysis of Wheat.—D. Taddei, having undertaken researches in fermentation, and particularly in that of grain and pulse, in various cases has ascertained that the gluten of wheat is composed of two substances, perfectly distinct from each other, one of which he has named *gloiodina*, and the other *zimoma*. The first of these gives to gluten its elasticity, and the second is the cause of the fermentation which takes place in the mixtures of gluten with other vegetable substances. D. Taddei had occasion

to mix various gums, gum resins, and resins, with the different kinds of flour. Amongst the mixtures it was found, that that of the powder of the resin of guaiacum with wheat flour, became of a very fine blue, as soon as it was well kneaded with water, in contact with the air. Various colours were produced with the flour of other kinds of grain; and it appeared that the shade of blue colour, produced by the various mixtures, corresponded to the quantity of *zimoma* contained in them.

The powder of guaiacum is, therefore, a re-agent, capable of discovering the alteration which flour may have undergone by fermentation in magazines, ships, &c. and also of ascertaining if it be mixed with the flour of other seeds deficient in gluten. It will also test the purity of starch. The flour of grain is consequently, too, a test of the purity of the resin guaiacum, which in commerce is almost always adulterated and falsified.

Preservation of Crystals.—It is sometimes an object to preserve good crystals of salts, especially with those who are attentive to the study of crystallography. In attaining this end, much assistance may be derived from the use of sweet oil. Many crystals, which change and become dull by exposure to air, as alum, sulphate of copper, sulphate of iron, prussiate of potash. &c. if slightly oiled, do not then alter in a long time; and many efflorescent substances are prevented from changing by the same means. Even crystals of Glauber's salt will lie exposed to the air for weeks together without efflorescing, if

well oiled. The best method is to soak the crystals in oil for a few hours, and then to wipe them and put them up in bottles.

FINE ARTS.

Lithography.—The art of Lithography admits of many different styles, such as ink drawings, either by lines or dots, etchings or engravings, chalk, and imitations of wood-cuts, and of acqua tinta. The only style, however, which has a decided superiority, is that of chalk, as I think no style of copper-plate engravings can give so perfect an imitation of original pencil drawings; whereas, from the natural tendency the stone has to imbibe the lithographic ink, it is impossible to obtain very fine lines, or any drawings which might not be executed with more ease by etching on copper. Very fine lines, and good imitations of copper-plate engraving may be produced by engraving upon stone; but as it requires almost as much practice as engraving upon copper, the chief advantage of lithography, viz. enabling an artist to execute his own drawings, is lost; to which must be added the disadvantage of the great bulk and weight of the stones, which must always hinder a person from laying by engravings already executed, as can be done with copper-plates. Transfers upon stones, however, with regard to writing, are extremely useful; it has also been attempted with copper-plate prints, but they are but poor imitations of the originals. The art of transferring writing upon stone is so very easy and simple, that I have

thought it useless to offer any specimen of it. These considerations have led me to turn all my thoughts towards chalk drawings, and it appears lithography has been considered chiefly in that light both in Paris and at Munich.

The stones proper for lithography must be of a calcareous nature, pure, hard, and of a fine grain. They must imbibe both moisture and grease with equal avidity: on this is founded the whole art of lithography.

The chalk is a composition of grease, wax, shell-lac, soap, and black. The lithographic ink is composed of the same materials, but rather softer.

The stone must be rubbed down with fine sand to a perfect level, after which, it is ready to receive the drawing; when the latter is executed, a weak solution of nitric acid is thrown over the stone: this operation slightly corrodes its surface, and disposes it to imbibe moisture with more facility; while the stone is still wet, a cylinder of about 3 inches in diameter, and covered with common printer's ink, is rolled over the whole surface of the stone; the wet part, of course, refuses to take the ink, while the chalk, being greasy, takes a portion of it from the roller. The stone is now ready for printing. The press consists of a box drawn by a wheel under a wooden scraper, pressing on it with great power; after the first impression, the stone is wetted afresh, again rolled over with the cylinder, drawn under the scraper, and so on. The same process is employed for ink drawings, except that the solution of aqua fortis must be stronger, and the printing ink stiffer.

Transfers are made either with

chalk or ink, or with both together, on a prepared paper, which is then put damp in the press on the surface of a stone, and thrown off on it; the stone is then treated as a chalk or ink drawing. The tints of the prints sent as specimens to the Society for the Encouragement of Arts, &c. by Mr. Hullmandell, from whose letter this account is extracted, are produced by a second stone covered over with grease; the lights are scraped out in the places where they are intended to be; and the print being brought on the stone in its exact place, produces the effect of a drawing on coloured paper touched in with white. The drawings marked 7, 8, 9, are printed with a third stone, to give more effect to the fore-ground.

Imitations of wood-cuts are produced by covering the stone with lithographic ink, and scraping out the intended lights; and as the finer touches may be added with a hair pencil, prints far superior to wood-cuts may be obtained; but the chief advantage of wood-cuts, viz. printing them at the same time with the text of the book, is lost.

Engraving upon stone is performed by polishing the stone, and covering it with a thin coating of gum and black; the part intended for the drawing must be scraped out, and when finished, of course, appears white instead of black; the thicker lines, as in copper, must be cut deeper, and when the whole is finished, the stone is rubbed with linseed oil, which not being able to penetrate the coating of gum, only touches the stone where it is scraped away. The gum is then washed off, and the print obtained as in the other styles of printing.

The imitations of acqua tinta are produced by several stones coinciding with each other, and producing a succession of flat tints. Drawings may also be done by mixing ink with chalk, and adding flat tints.

Lithographic Press.—Mr. J. Ruthven, of Edinburgh, has at length succeeded in constructing a press on the principle of his patent, that answers most perfectly for printing from stone. It is free from the disadvantages that have hitherto attended lithographic presses, and promises to render the art very generally adopted throughout England. Any degree of pressure is at once brought to bear on the stone by means of the lever. The roller is found to clear the stone from the printing ink at each impression, and the labour of winding the bed through is much less than by the method hitherto used. By this machine a greater number of impressions may also be obtained in a day than formerly. One of them has been for some time at work at the lithographic establishment of Mr. Charles M. Willich, No. 6, Dartmouth-street, Westminster, where it may be seen by the admirers of this interesting art.

Siderography.—*The Inventions and Patents of Messrs. PERKINS, FAIRMAN, and HEATH.*—These interesting and important inventions form an epoch in the history of the fine arts: and are likely to contribute effectually to the diffusion of science, as well as to the prosperity of manufactures, the improvement of the arts, and the diminution of crime. The principal discovery is a method of softening steel, so as to render it superior to copper, for all the purposes of etching and engrav-

ing, in all the various modes in which those arts are practised. When the engraver has completed his work upon a plate of this description, the inventor hardens it again; and in this hardened state it is capable of producing, even where the work is very fine, several hundred thousands of impressions, which may be worked at an advantage of 50 per cent. in facility and dispatch over copper-plate printing. But this is a small part of the merit of this invention. The steel plate, engraved and re-hardened, is made to produce any required number of copper-plates, in all which the work is identical with the original. Thus impressions from a single engraving may be multiplied almost to an infinite extent. The process, by which these copper-plates are produced, is as follows: The engraved steel plate being hardened, and placed in a press invented by the patentees, a cylinder of softened steel revolves over it, and in that process receives on its periphery a perfect impression *in relief* from the engraved work, as melted wax is impressed by a seal. This steel cylinder is then hardened by the same operation as the original plate, and being afterwards made to revolve over plates of copper or softened steel, placed in the above-mentioned press, produces on each of them a perfect facsimile of the original engraving. These softened steel plates may be hardened, and will then make new cylinders. Thus even the finest and most delicate engraving, which in the old method would be worn out in the production of a few hundred prints, and could never be re-executed with perfect identity, may, by substituting steel for copper, as

the subject of the original work, and by the process here described, be made to produce an infinite number of fine impressions.

Besides this new and important discovery, Messrs. Perkins and Fairman are patentees of an engine, which designs on a revolving cylinder, whose axis moves in several directions, an infinite variety of figures adapted to borders, &c. The diversity, regularity, and beauty of these figures are wonderful; and this engine, like the kaleidoscope, produces them in an endless variety of combinations. It also possesses the property of producing the same figure alternately indented, and in relief, whereby the parts which are dark in one of a series of figures, appear light in the next, and so on *vicissim*. We have seen some ingenious attempts to imitate the performances of this engine, which have proved totally unsuccessful, and we are convinced that such imitation is impossible.

The advantages of these inventions will shortly be conspicuous in the improvements of our manufactures of pottery and printed cottons, linens, &c. as well as in the illustration and embellishment of works whose extensive sale precluded the use of copper-plates, which would have required frequent re-engraving. We are satisfied that the demand for engraving will be considerably augmented by this extension of its utility, and that fine works will in future be given where inferior performances could only be afforded.—But the most important benefit likely to be derived from these inventions is, the prevention of forgery. It has long been well understood, that a plate con-

taining a variety of subjects, executed by the most eminent artists in their best and most highly-finished manner, would be an inimitable performance; the only objections were, that such a plate would print but a few copies; this objection is now removed. Nothing prevents the directors of the Bank from combining in their notes the labours of all our first-rate engravers, and printing their numerous copies from many originals at once. The engine engraving, which we have mentioned, might be added to the security; impressions of the parts of the work might be circulated for general inspection and comparison; and the engraver, who would then attempt an imitation, must devote the most extraordinary talents and the greater part of his life to a hopeless and unprofitable undertaking.

It is difficult to conceive that the plan now in preparation by the Bank can produce any impediments to forgery more difficult to surmount, than those which are offered by these inventions. As we are fully convinced that it is the sincere desire of the directors to adopt the most effectual means for the prevention of that destructive crime, we congratulate the public on the probability that either by the system now in preparation, or by the inventions which we have here endeavoured to explain, that most desirable object will soon be attained.

Ivory Paper.—The properties which render ivory so desirable a substance for the miniature painter and other artists are, the evenness, and fineness of its grain, its allowing all water colours laid on its surface to be washed out with a soft

wet brush, and the facility with which the artist may scrape off the colour from any particular part, by means of the point of a knife or other convenient instrument, and thus heighten and add brilliancy to the lights in his painting, more expeditiously and efficaciously than can be done in any other way.

The objections to ivory are, its high price, the impossibility of obtaining plates exceeding very moderate dimensions, and the coarseness of grain in the larger of these; its liability, when thin, to warp by changes of the weather, and its property of turning yellow by long exposure to the light, owing to the oil which it contains.

The candidate produced before the committee of the Society of Arts several specimens of his ivory paper about an eighth of an inch thick, and of superficial dimensions much larger than the largest ivory: the surface was hard, smooth, and perfectly even. On trial of these by some of the artists, members of the society, it appears that colours may be washed off the ivory paper more completely than from ivory itself, and that the process may be repeated three or four times on the same surface, without rubbing up the grain of the paper. It will also, with proper care, bear to be scraped with the edge of a knife without becoming rough.

Traces made on the surface of this paper by a hard black-lead pencil are much easier effaced by means of India rubber than from common drawing-paper, which circumstance, together with the extremely fine lines which its hard and even surface is capable

of receiving, peculiarly adapts it for the reception of the most delicate kind of pencil drawings and outlines.

An artist of eminence in miniature painting (not a member of the society) stated, that he has frequently used the ivory paper, and finds it to be superior to ivory itself, in the whiteness of the surface, in the facility with which it receives colour, and in the greater brilliancy of the colours when laid on, owing to the superior whiteness of the ground. Colours on ivory are apt to be injured by the transudation of the animal oil, a defect which the ivory paper is free from.

Some highly respectable dealers in drawing materials stated, that they have had samples of the ivory paper in their possession for a considerable time, and that it does not appear to become yellow or discoloured by keeping.

The valuable properties of the paper appearing thus to be satisfactorily established, a day was fixed for the candidate to disclose his process, and to prepare a specimen of the paper in presence of the committee. Accordingly, at the appointed time, Mr. Einsle attended, and exhibited before the committee his method of preparing the paper: he also gave in a written account of the process, from which, and from the information obtained during the sitting of the committee, the following account has been drawn up:—

Take a quarter of a pound of clean parchment cuttings, and put them into a two-quart pan, with nearly as much water as it will hold; boil the mixture gently for four or five hours, adding

water from time to time to supply the place of that driven off by evaporation; then carefully strain the liquor from the dregs through a cloth, and when cold it will form a strong jelly, which may be called size (No. 1).

Return the dregs of the preceding process into the pan, fill it up with water, and again boil it as before for four or five hours: then strain off the liquor, and call it size (No. 2).

Take three sheets of drawing-paper (outsides will answer the purpose perfectly well, and being much cheaper, are therefore to be preferred), wet them on both sides with a soft sponge dipped in water, and paste them together with the size (No. 2). While they are still wet, lay them on a table, and place upon them a smooth slab of writing slate, of a size somewhat smaller than the paper. Turn up the edges of the paper, and paste them on the back of the slate, and then allow the paper to dry gradually. Wet, as before, three more sheets of the same kind of paper, and paste them on the others, one at a time; cut off with a knife what projects beyond the edges of the slate, and when the whole has become perfectly dry, wrap a small flat piece of slate in coarse sand-paper, and with this rubber make the surface of the paper quite even and smooth. Then paste on an inside sheet, which must be quite free from spots or dirt of any kind; cut off the projecting edges as before, and when dry, rub it with fine glass-paper, which will produce a perfectly smooth surface. Now take half a pint of the size (No. 1), melt it by a gentle heat, and then stir into it three table-

spoonfuls of fine plaster of Paris; when the mixture is completed, pour it out on the paper, and with a soft wet sponge distribute it as evenly over the surface as possible. Then allow the surface to dry slowly, and rub it again with fine glass-paper. Lastly, take a few spoonfuls of the size (No. 1), and mix it with three-fourths its quantity of water; unite the two by a gentle heat, and when the mass has cooled, so as to be in a semi-gelatinous state, pour about one-third of it on the surface of the paper, and spread it evenly with the sponge; when this has dried, pour on another portion, and afterwards the remainder: when the whole has again become dry, rub it over lightly with fine glass-paper, and the process is completed; it may, accordingly, be cut away from the slab of slate, and is ready for use.

The quantity of ingredients above-mentioned is sufficient for a piece of paper 17 and a half inches by 15 and a half.

Paris plaster gives a perfectly white surface; oxide of zinc, mixed with Paris plaster, in the proportion of four parts of the former to three of the latter, gives a tint very nearly resembling ivory; precipitated carbonate of Barytes gives a tint intermediate between the two.

Improved Tracing Paper.—The paper generally used for the purpose of tracing, is either bank-post or silver paper, made transparent with drying or nut oil mixed with turpentine; but this paper, after having been thus made but a short time, becomes extremely yellow, much less transparent, and very offensive to the smell—nor is the tracing-

paper usually sold by the stationers of a much better quality, and the price is enormous. The French tracing paper has also a yellow, or rather a green tint, and being of an oily nature, it cannot be marked upon but with ink, which has been previously mixed with prepared gall. By the following process, a correspondent has made excellent tracing paper:—Dissolve (in a tea-cup, or the like) two ounces of Canada balsam, with two ounces of spirits of wine; by adding a little of the latter at a time, and by being frequently stirred, it will, in a few hours, become in a fluid state, but will assume a curd-like appearance; put this in a large size vial, then add two ounces of spirits of turpentine, shake it often, and in a few hours it will be fit for use; when used, pour out the varnish into a saucer, and having the silver paper placed smoothly, take a flat camel's hair varnish brush, and pass over every part; when one side is done, turn over the sheet of paper, and with the same brush, without any varnish, pass over every part of the other side; then hang the paper on a line for drying, which will be very quickly. It is necessary to have several sheets of paper placed on each other, as the varnish which passes through the upper sheet will help to varnish the next. The quantity of varnish which I have here stated, will cover half a quire of silver paper.

New Style of Engraving.—Mr. Lizar's new mode of engraving is effected by drawing with turpentine varnish, coloured with lamp-black, whatever is desired upon the plate. When the varnish is

thoroughly dry, diluted nitrous acid is poured upon it, and the interstice of course removed by its action upon the uncovered part of the copper. If the subject be very full of dark shading, this operation will be performed with little risk or accident; but if the distance between the lines be great, the risk and difficulty are very much increased, and it will be requisite to cut away the parts which surround the lines with a graver, in order to prevent the dabber with the printing ink from reaching the bottom, and thus producing a slurred impression.

The Syren, a new Acoustical Instrument.—This instrument is a circular copper box, four inches in diameter, the upper surface of which is pierced by a hundred oblique apertures, each a quarter of a line in width, and two lines long; on the centre of this surface is an axis, upon which the circular plate moves; this plate has also one hundred apertures, corresponding to those below, and with an equal obliquity, but in an opposite direction. The obliquity is not necessary to the production of sound, but it serves to give motion to the plate by the passing air. The box is connected by a tube with a bellows that supplies it with air. If water be passed into the Syren in place of air, it produces sound, even though the whole instrument be immersed, and the same number of concussions produces the same sound as in the air. In consequence of this property of being sonorous in the water the instrument has been called the Syren.

Imitation of Cameos, Agates, &c.—There is something very curious in the conception, and

very fortunate in the success, if it be at all equal to what is reported of an attempt to imitate cameos of different colours as they appear in certain antique gems. It has occupied the attention of M. Dumersan, of Paris, and his endeavours have succeeded. This amateur has long been conversant with divers branches of antiquities, particularly with medals and engraved stones. After having taken impressions by means of moulds, from the original cameos, he gives them the various colours of agates and sardonyxes, by a faithful imitation of the *layers* of colouring matter interposed, or even *superposed*, with their clouds and other accidents. Under a glass these copies represent their originals so perfectly as to deceive the eye; and connoisseurs may now indulge themselves, not, as before, with simple impressions, but with *fac similes* of these antiquities. The inventor has formed an extensive collection, and sells selections, more or less numerous, at the pleasure of the purchaser.

Restoration of Paintings.—The white used in oil-painting is, generally, prepared from lead, and forms the basis of many other pigments, and is extremely liable to turn brown or black, when affected by sulphureous vapours. M. Thenard, of Paris, has restored a painting of Raphael's, thus injured, by means of oxygenated water, applied with a pencil, which instantly took out the spots and restored the white. The fluid was so weak, as to contain not more than five or six times its volume of oxygen, and had no taste.

The Meloplast.—M. Galin, a musical professor, has lately in-

troduced in Paris a new instrument for teaching music, called the *meloplast*. M. Galin's ingenious method consists in making his pupils sing from a stave, without either clefs or notes, according to the movements of a portable rod. The meloplast is now almost universally substituted for books of solfeggi, which were formerly considered indispensable.

GEOGRAPHY AND NAVIGATION.

The North-west Expedition.—The following is the dispatch from captain Parry to Mr. Croker, alluded to at page 478 of Chronicle:—

“ Sir; I avail myself of an unexpected opportunity by the Lee, of Hull, whaler, to acquaint you, for the information of my lords commissioners of the Admiralty, that his majesty's ships under my orders succeeded in discovering a passage through Lancaster's Sound into the Polar sea, and penetrated, during the summer of 1819, as far as the longitude of $112\frac{1}{2}$ deg. west of Greenwich, between the parallels of 74 deg. and 75 deg. north latitude.

“ In this space twelve islands have been discovered, and named the islands of New Georgia, in honour of his majesty. The expedition wintered in a harbour on the south side of the largest of these islands (called Melville Island), in latitude 74 deg. 47 min. N. and longitude 110 deg. 47 min. W. and proceeded to the westward immediately on the breaking up of the ice, at the commencement of the present season, the ships being in perfect condition, the officers and men in excellent health, and with every prospect

of the final accomplishment of our enterprise.

“ At the south-west end of Melville Island, however, the quantity and magnitude of the ice was found to increase so much, that for sixteen days (being above one-third of the whole navigable season in that part of the Polar sea) it was found impossible to penetrate to the westward beyond the meridian of 113 deg. 47 min. W. In order, therefore, that no time might be lost, I determined to try what could be done in a more southern latitude, and, for that purpose, ran back along the edge of the ice, which had hitherto formed a continuous barrier to the south of us, in order to look out for any opening which might favour the plan I had in view. In this endeavour I was also disappointed, and the season being so far advanced as to make it a matter of question whether, with the remaining resources, the object of the enterprise could now be persevered in with any hope of success, I consulted the principal officers of the expedition, who were unanimously of opinion that nothing more could be done, and that it was, on that account, advisable to return to England.

“ In this opinion it was impossible for me, under existing circumstances, not to concur; and I trust that the detailed account of our proceedings, which I shall shortly have the honour to lay before their lordships, will prove highly satisfactory, and that, though our exertions have not been crowned with complete success, they will not be found discreditable to the naval honour of our country.

“ I beg you will be pleased to

acquaint their lordships, that, having proposed to survey the west coast of Davis's Straits previous to my return, and being desirous of losing as little as possible of the remaining part of the present season, which is favourable for the navigation of these seas, I have not considered it right to detain the expedition for the purpose of transmitting by the *Lee* a more full account of this voyage. I shall only, therefore, add, that, having accomplished the object now in view, I hope to reach England by the first week in November. I have the honour to be, &c.

“ W. E. PARRY, Lieut. & Com.”

Important Geographical Discovery. — The existence of an antarctic continent has been conjectured ever since the discovery of America rendered us more intimately acquainted with the figure of the earth; nor, when all the circumstances that led to it are considered, can it be called an unreasonable opinion. The vast quantity of floating ice in the higher southern latitudes, justly indicated its origin to be in fresh-water rivers and lakes, at no great distance. And again, the immense space of ocean in the southern hemisphere, in the absence of such a continent, led to an inference that that beautiful arrangement and disposition of land and water, so conspicuous in the northern, was overlooked, and the equilibrium neglected in the southern, hemisphere. In 1599 land was first discovered in this quarter by Dirck Gherritz, a Dutchman, who commanded one of a squadron of five ships that sailed from Rotterdam in 1598 for the East Indies, under orders to proceed by a western course,

through the straits of Magallanes (or Magellan), and across the South Sea. Gherritz was driven to the south of the straits, to 64 south latitude, where he saw a high country, with mountains, and covered with snow, like the land of Norway. He ran about 100 leagues along the coast of this new country; but discovery not being his object, he soon directed his course towards the coast of Chili. The discovery of Gherritz is noticed in Kitchen's Atlas, published in 1787, where the land is laid down as extending in a bay-formed shape for about two degrees from north-west to south-east, but the name in this map is anglicized to Gerrard. Captain Cook failed in his endeavours to make out this land, and several other navigators have been equally unsuccessful. But last year Mr. Smith, master of the brig William, of Blythe, in Northumberland, and trading between the Rio Plata and Chili, in endeavouring to facilitate his passage round Cape Horn, ran to a higher latitude than is usual in such voyages, and in latitude 62 deg. 30 min. and 60 deg. west longitude, discovered land. As circumstances did not then admit of a close examination, he deferred it till his return voyage to Valparaiso, during which, in February last, he ran in a westward direction along the coasts either of a continent or numerous islands, for two or three hundred miles, forming large bays, and abounding with the spermaceti whale, seals, &c. He took numerous soundings and bearings, draughts, and charts of the coast; and in short did every thing that the most experienced navigator, dispatched purposely for the object of making a survey,

could do. He even landed, and, in the usual manner, took possession of the country for his sovereign, and named his acquisition "New South Shetland." The climate was temperate, the coast mountainous, apparently uninhabited, but not destitute of vegetation, as firs and pines were observable in many places; in short the country had, upon the whole, the appearance of the coast of Norway. After having satisfied himself with every particular that time and circumstances permitted him to examine, he bore away to the north, and pursued his voyage.

On his arrival at Valparaiso, he communicated his discovery to captain Sherriff, of his majesty's ship *Andromache*, who happened to be there. Captain S. immediately felt the importance of the communication, and lost not a moment in making every arrangement for following it up; he immediately dispatched the *William*, with officers from the *Andromache*, to ascertain the nature of the country. The ship has returned from this voyage, and on her arrival off the harbour, and making her report to captain Searle, of the *Hyperion*, orders were given that no intercourse with the shore should be permitted. This has naturally led to the inference, that the discovery turns out to be important, and that this precaution is taken to prevent the interference or claim of any foreign nation, previous to the usual measures of taking possession in the name of his Britannic majesty.

A New Island off Cape Horn—in latitude 61 deg. longitude 55 deg., has been discovered by the ship *William*, on a voyage to Valparaiso. This vessel ex-

plored the coast for 200 miles. The captain went on shore and found the island covered with snow and uninhabited. Seals and whales abounded on the coast; it has been named New Shetland.

MEDICINE.

Remedy for Ophthalmia.—A species of bignonia growing in La Guyana, in the neighbourhood of Demerara, in a sandy soil contains, under the brown epidermis, a fibrous, pulpy part, from which the Indians collect a juice, by pressing it on cotton. A drop or two of this juice is conveyed into the eye, by means of a paper funnel, once a-day for three or four days, in which time it effects a cure. Dr. Chisholm declares, that he has tried this plant in three cases of ophthalmia with success: having only the dry root, he scraped off the outside, and made a strong infusion of the internal part; six drops of which, applied to each eye once a day, completed the cure in six days.

Hydrophobia. — Whoever has attended any common course of chemical lectures must have witnessed the extraordinary effects which result from inhaling the nitrous oxide, or Laughing Gas, as it has been designated. Now, we well know, upon general principles, that Providence has made nothing in vain, and it is impossible to believe that such a powerful gaseous combination could be intended for no other purpose than to impel fools to laughter.

Let it be recollected then, that the principal concomitant symp-

toms of hydrophobia are gloom and despondency, against which this gas seems a temporary specific; and surely it cannot be thought presumptuous to say that there is a possibility, not only of temporary relief, but even of permanent cure from its exhibitions. In the second place, we know that heat has been, perhaps justly, considered as the cause of the disease in the canine species—is it not possible then that an extraordinary degree of refrigeration might tend to counteract its influence? The experiment is simple. Let the patient be placed in a common tin bath, surrounded by pounded ice, which perhaps he may bear, even when the dread of water is at its height. If the experiment should kill, it only does that which the disease in short time most infallibly will do.

Doctor Lyman Spalding, one of the most eminent physicians of New York, announces, in a small pamphlet, that for above these fifty years, the *Scutellaria lateriflora* L. has proved to be an infallible means for the prevention and cure of the hydrophobia, after the bite of mad animals. It is better applied as a dry powder than fresh. According to the testimonies of several American physicians, this plant, not yet received as a remedy in any European Materia Medica, afforded a perfect relief in above a thousand cases, as well in the human species, as the brute creation (dogs, swine, and oxen). The first discoverer of the remedy is not known: Doctors Derveer (father and son) first brought it into general use.

Olive oil a remedy against the Plague.—We think it our duty to

record an article of intelligence sent by the Swedish consul at Tangiers, on account of its important connexion with the interests of humanity. How far the practice is new we cannot pretend to say; but we know, that the external application of oil is old, and was recommended some years ago with great zeal, by Mr. Baldwin, an English consul in the East. M. Graberg writes from Tangiers, June 1, 1819, that by drinking from four to eight ounces of olive oil, a great number of patients had been saved from death. The remedy acts generally as a sudorific, an abundant sweat breaks out all over the body, and the virus seems to issue with it, and to lose its power. It sometimes proves vomitive or purgative: but the sweating is most salutary. The consul states a remarkable circumstance that happened at Tangiers. It is affirmed, that negroes who take the plague never escape with life. But, two negroes who, he says, took a strong dose of this oil on the access of the disorder, recovered from the effects of the contagion. To render this remedy more efficacious, some use it as frictions and bathings, externally also; and some drink a decoction of alder; but the curative power is in the sweating process brought on by the oil. It is far from our purpose to interpose any opinion on this subject, of which experience only is the proper test; but whether it may prove beneficial in other disorders allied to the plague (the *cholera morbus* of India) may possibly prove worth the inquiry of some of our medical men.

Antidote for Vegetable Poisons.

—M. Drapez has ascertained that the fruit of the *fenillea cordifolia* is a powerful antidote against vegetable poison. Dr. Chisholm states, that the juice of the sugar cane is the best antidote known for arsenic.

Prevention of Contagion.—By the powerful aid of chlorine, chemists have succeeded in decomposing, or wholly neutralizing, the contagious miasmata, which are exhaled in certain disorders. The action of this gas is certain; it causes the offensive odour to disappear, and that of the chlorine itself becomes hardly sensible (unless it has been employed to excess), which manifests the reciprocal action of the miasmata and the gas. Fumigations with nitric acid, and of hydrochloric acid (muriatic), may be employed for the same purpose; they are less active than those of chlorine, but they may be used with advantage in many cases. We will here describe the mode of proceeding, for the use of families, in which one or more individuals are attacked by one of those maladies from which contagion may be apprehended, and where the (rather complicated) means of producing chlorine are not at hand. It is sufficient to procure some nitre or sea-salt, pulverized; to put half an ounce into a tea-cup, and to pour upon it sulphuric acid (oil of vitriol). You must stir the mixture, which is of the consistence of paste with the end of a glass tube: a white smoke is seen to arise from it, the smell of which, though strong, is not disagreeable, and this forms in the chamber, as it were, a slight mist. The operation must be repeated from time to time, and the mixture frequently stirred.

MECHANICS.

Improvement in Iron Bridges.—

“ I propose,” says M. Poyet in a memorial presented to the chamber of Deputies, “ to substitute for stone bridges (the enormous expense of which renders the construction of an adequate number impracticable), bridges of wrought iron, which are as strong as stone bridges, and may be built at about one-fifth of the expense. If instead of constructing these iron bridges on stone piles, wood were substituted for the stone the expense would be diminished one-half, and thus we might have ten wooden bridges for one of stone.

“ The bridge which I propose is constructed on an entirely new plan, which precludes the possibility of those accidents so frequent in France and Germany, where inundations sweep away the strongest erections, because they too powerfully resist the passage of the water in strong currents, and the passage of the ice after them.

“ The principal advantages of the bridge I propose, are—

“ 1. Great strength, each arch bearing the weight of a million of kilogrammes, (984 tons 7 cwt.) without the necessity of constructing abutments for the support of the last arch.

“ 2. The piles may be raised at the distance of thirty or forty metres (98 to 130 feet) from each other, which must of course diminish expense, and facilitate navigation.

“ 3. The bridge may be constructed with great expedition, because the iron is wrought in the usual way, and only a slight scaffold is requisite for raising it.

“ 4. It may be repaired without obstructing the foot-path, or carriage-way.

“ 5. It may be raised or lowered at pleasure, leaving only the piles standing, which must prove a vast advantage on frontier rivers in time of war.

“ 6. A portion of the bridge may be raised between two piles, sufficient for the passage of ships.”

Steam Carriages.—The application of steam engines to the impelling of carriages on the public roads, has hitherto been considered as a refinement in mechanics, rather to be wished for, than a matter of reasonable expectation. The locomotive engine was first employed for this purpose by Messrs. Trevethick and Vivian, in 1802, and by the application of their patent apparatus to an engine having an eight inch cylinder, they were enabled to draw ten tons of coal at the rate of five miles per hour.

An engine, on a nearly similar principle, has lately been constructed in Ireland, for the purpose of impelling a new stage coach; and the proprietor has published a certificate, signed by two engineers, stating they had tried the vehicle in the neighbourhood of Glasgow, and that it impelled a coach loaded with a weight of nearly four tons, at the rate of twenty English miles per hour. It is steered with ease by one man, and is not so liable to accident as a carriage drawn by horses.

Malleable Iron Passage Boat.—

A passage vessel has been constructed for the service of the Clyde and Forth canal company, by Mr. Wilson, ship-builder, from the design and under the direction of Mr. Henry Creighton, of Glasgow.—The hull is built of

iron, in order to avoid the often recurring and expensive repairs, to which the wooden vessels had been found liable. It has proved to be the most agreeable and manageable of the passage vessels in every variety of weather, while, though carrying more passengers than any on the old plan, it is as easily tracked as the smallest of them; and from the lowness of the centre of gravity, it admits of a large cabin and awning on deck, where the passengers are better accommodated than in the former way below. The dimensions are,

	Feet.	
Extreme length	63	
Beam	13	
Depth (including 5 inches keel) 5		
Draft of water of	} Abaft.	Forward.
the iron hull when		
launched	22 in.	19 in.
Ditto when fitted	} 37 inches,	25
up with cabins, &c.		
Ditto with 200 pas-	} 48 on an even	keel.
sengers and their bag-		
gage.....under		

The weight of iron employed is little more than twelve and a half tons, which is rather less than that of a wooden vessel of the same external, and smaller internal, dimensions. The iron was of the kind called Scrap, and was rolled and forged at the Monkland Steel Company's works.

An unforeseen advantage has been experienced in the use of this vessel, the cause of which is not very apparent. When any of the other boats have been laid alongside of the canal bank, to take in or discharge passengers, they continue, on being put in motion to rub on the bank, until they acquire head-way enough to bring them under command of the rudder; but the Vulcan immediately springs off the bank, and takes into the middle of the

canal, The form of the bottom of this boat was copied from a model sent by admiral Shank. It excels the others which have been tried, as it occasions little agitation in the water, and is, therefore, favourable to the preservation of the canal banks.

Pumps for clearing away leakage or bilge-water were put into her, but, it is believed, they have hardly been required to be used.

It has been under contemplation to cause the horses to track the boats through the intervention of a spring, in order to equalize their exertions, which vary, in very minute portions of time from 100lb. to 1,000lb. while the average strain on the line is between 250lb. and 300lb. It has been found impracticable to procure springs combining sufficient power of extension and strength, and perhaps it will be necessary to resort to one consisting of air acted upon by a piston, in a barrel of adequate dimensions.

A Dolphin—Diving Machine.—Mr. Farkas, an Hungarian, has giving this appellation to a machine of his invention, the purpose of which is to enable a person to dive to the bottom of the deepest waters—to walk or work there with freedom—to ascend again at pleasure without requiring the aid of an assistant—or to remain stationary at any depth from the surface, without either inconvenience or danger. Experiments were made with this machine in the swimming school at Vienna; when a man plunged into water twenty-four feet in depth and walked about the bottom, continuing there for the space of an hour: he then returned to the surface, being recalled by the spectators, who de-

clared themselves perfectly satisfied with the success of the experiment. A lanthorn was also let down, and when brought up the light was still burning. The utility of such invention is sufficiently obvious whether it be employed to rescue goods from wrecked vessels, to collect pearls, coral, amber, or to explore the recesses of the deep.

Captain Marryat's Life Boat.

—The principal requisites of a life boat are, that it be not so liable to upset as any other boat; that it be of sufficient buoyancy to support any number of persons that may crowd into it; in case of being swamped to be able to discharge the water, and rise again by its own specific lightness: besides these that it be capable of containing a great number of persons without impeding the rowers. With regard to its internal construction, it should be such as to combine buoyancy with security: for which purpose air is certainly the most powerful agent, yet of too treacherous a nature to be relied on alone. Cork therefore must be employed also, and in such quantity as to enable the boat to preserve its buoyancy and equilibrium under any circumstances. The model presented by captain Marryat to the Royal Humane Society was constructed with a view to secure these advantages; and was on a scale of 30 feet long, 8 wide, and 3 deep. The form was nearly flat, keel deep, bow and stern alike. The men are placed close to the side of the vessel, as by that means they are removed as far as possible from the centre of motion, and acting upon the farthest end of the fulcrum, reciprocally combines to restore the equilibrium that the boat may lose from the

violence of the sea. The oars are pulled upon an iron outrigger, which, although it may add a little to the weight, gives the men greater power. The bow and stern are both covered in $5\frac{1}{2}$ feet with two air-tight partitions upon which no person can be placed, even should the boat be crowded: and the centre where the men are stowed is so secure that they cannot be washed out, unless by the boat upsetting. The centre is 19 feet long by 4 broad; its bottom is solid cork of one foot in thickness, pierced and grated over to allow free passage for any water that might be shipped. This cork is capable of supporting a weight of 3550lb., being 836lb. more than the whole weight of men and iron-work in the boat. This boat is capable of supporting the weight of 128 men, independently of iron-work, which is about double the number that could crowd into it: and should it be swamped, its specific lightness is such that the water would immediately discharge itself through the holes at the bottom, and the boat would rise of itself to its former draught of water.

Machine for Weighing Ship's Cargoes.—Mr. Jacob Reitmayer, a mechanist of Mayence has formed a machine for ascertaining the amount of the cargo which a vessel is able to contain, and also to discover the exact weight of the cargo. It resembles the platforms used on land for weighing wagons, &c. It is built in the water, at a place where the depth is always the same, whither the ships, when empty, are brought, and one may tell with the greatest accuracy, by means of a scale (or scales) at the sides of the machine, how high and broad the vessel is, and what is its weight in

the water when empty. As the scale is calculated upon hydraulic principles, from decimeter to decimeter, according to the make of the ship in its cubic contents, and according to the buoyant power of the water, nothing more is necessary than to place the vessel, when loaded, in the machine, which will immediately shew the weight of the vessel and cargo, from which the weight of the vessel when unloaded is to be deducted.

New Seven-barrelled Gun.—A gun of an entire novel construction, was exhibited before the duke of York. It weighs less than the common musket, though composed of seven barrels; one is of the common length, and in the same position; around it, at the breech, are the six others, of about three inches in length only. The simple act of cocking places each of the short barrels successively in complete connexion with the long one, and that of shutting primes it; so that seven discharges may be effected in 30 seconds. It is perfectly safe and accurate, every part being so guarded, as to prevent the possibility of danger, error, or impediment, with great simplicity.

Newly invented Chain-Pump.—Mr. Tyer of Homerton, has lately obtained a patent for an improvement of considerable importance in the construction of chain pumps. This engine is particularly adapted to ships, mines, brick-makers, draining canals, &c. it being a rotary motion. If used in brewhouses, boiling liquor will not injure the pistons, and frost will not affect it; as the water does not remain in the barrel when at rest. The principal improvement in the construction of these pumps consists in the use of a peculiarly con-

structed spur-wheel, the pistons being removed to a considerable distance apart, and their number diminished accordingly.

Improved Rowlock.—This rowlock, invented by Wallop Brazazon, esq. is very superior to the common one, for being fastened down, by means of a grommet, to a timber head, and lashing being passed through the two upper eyes, it is impossible for the oar to rise off the gunwale of the boat. This gives the rower a very powerful purchase, by which he may at any time prevent the boat from upsetting, by laying the flat blade of his oar on the surface of the water, and prizing up the gunwale. Besides this, there is another great advantage in the more rapid progress of the boat. In the common rowlocks the oar must have considerable play, by which nearly a foot of the space through which the rower's body moves, when he leans back to pull, is lost, and makes no impression on the boat, as the oar takes that much of his exertion, merely to bring it home to the thowel next to him; and until it once touches that, it does not send the boat forward. But with this rowlock, which fits the oar, the moment the man begins to pull, that moment the boat begins to spring forward. Besides which, as the rowlock has nothing to check it in its turning, the rower may take the longest stroke with the oar, that his strength and activity will enable him.

Even should the boat fill with water, the oars being fastened to the gunwale, their buoyancy is now added to the buoyancy of the materials of the boat: and if the oars are made of fir-timber, which is the lightest and the

most elastic, each oar will sustain a man in the boat until assistance arrives. Alongside a ship these rowlocks are very easily taken out and put in again. The oar that works in this rowlock must be round, to enable the man to feather it. And it must be frapped with copper or sheet iron, to prevent it from wearing in the working part.

Double Door Spring.—The silver Isis medal of the Society of Arts was voted to Mr. White, for the invention of a double-door spring, constructed as follows: The axis of the door passes down beneath the floor into an iron box, and has two friction rollers, laterally attached to it. These rollers bear on the extremities of two levers, the other ends of which are in contact with a spring of the form of a bow. The centre of this spring lies between two upright pieces, by which it is kept in its place, while the two ends of the spring are each in contact with a lever. When the door is opened inwards, one of the rollers acts on its lever, which, in its turn, strains the end of the spring with which it is in contact; and when the door is let go, the resistance of the spring again brings the door to its former position. The same happens if the door is opened outwards, except that the other lever and roller are brought into action. Besides the simplicity of this construction, a farther advantage is, that the strength of the spring is the greatest, precisely where it is most wanted, namely, to keep the door closely shut. The cost of a full-sized spring of this kind will probably not exceed twenty-five-shillings.

Mr. Elliot's Safe Coach.—This

coach, invented by Mr. Obadiah Elliot of Westminster-road, is superior to those at present in use, not only as regards general safety, but in being also much lighter and easier of draught; and the principal weight is placed, and the body itself, hung, so low, as to render it utterly impossible to turn over, under any circumstances however unfavourable.

It is easier of draught by the proportion of more than one horse to four, which proceeds from two causes; first, that, whereas the fore wheels of the coaches now used, erroneously termed safety coaches, are but 2 feet 8 or 10 inches high (which instead of diminishing the labour, does absolutely require, and particularly in wet weather, the additional power of two horses, while they wear out a pair of wheels in one week); the fore wheel is nearly as high as the hind one, and the coach itself is shorter by 14 inches, than any other. Secondly it is lighter by above 3 cwt., on account of the whole of the perch, carriage, iron work, &c., being entirely dispensed with.

With regard to safety, the first advantage peculiar to this coach alone, is, that the front part in which the outside passengers and coachmen are seated looks round, so as to be always in a right line with the horses; hence those accidents will be prevented which but too frequently occur, from a sudden start or turn to the right or left. Further it is so contrived, and the springs are so fixed, that if one or all were to break at once, the body would drop but a few inches, and could without inconvenience, proceed on the remainder of the journey.—Again, if the axletrees were to break, and

all the wheels come off, the body would fall but 18 inches—or, which is much more probable, should, either the fore, or hind wheel, or both, by neglect of proper attention come off, the center of gravity is so near the center of action, that the body would only fall on an incline of 7 or 8 inches at most, and could not possibly overturn.

In this coach, all the lesser conveniences and comforts so desirable, are also attained, and the most infirm persons will not experience the least difficulty in getting out of, or into it.

In trying the experiment with the hind wheel off, it was found that it required the strength of five men to turn the body on its side, which, from the revolving system of its construction, was done while the front part remained stationary and uninconvenienced.

Apparatus for Propelling Ships.

—This apparatus, invented by professor Jeffray of Glasgow, consists in a new form of pump, to be impelled or driven by any of the usual and accustomed prime movers of machinery, by means of which water or air is alternately drawn in and expelled outwards, underneath the surface of the water upon which such vessel is floating, and in a direction contrary to that in which it is intended such vessel shall move, with such adjustments as to quantity, force, and direction, as will not only give different degrees of velocity to such vessel, but likewise assist in steering, turning, or guiding the direction of the same. The apparatus is not only applicable to the purpose of propelling and moving vessels in the water but to others very requisite on

board the ship, since by a proper arrangement and disposition of cocks or valves, and suction-pipes to the working barrels, the external water may be shut off, and the barrels made to draw from the hold or lowest part of the vessel, and in this way the same may be pumped much more effectually than by any other means. Even if a leak should be sprung, the water getting into the vessel may be used for moving her; and if the apparatus be allowed to go on working after all the bilge-water is removed from the well, the air which is in, and immediately over, the well, and which in general is the worst in a ship, will be pumped up and be thrown out next; and as the same quantity of pure air must enter up the hatches and port-holes at every stroke, as is thrown out by the cylinders, it will be understood how the whole air in the ship must in the course of a few hours be completely changed, especially as any number of barrels may be used, that may be required, either in their separate form or connected with each other.

MISCELLANEOUS.

Barometer.—A new improved instrument, or sympiesometer, has been invented by Mr. Adie, for the purpose of indicating any of those minute changes in the weight of the atmosphere which might be supposed to arise from the action of the sun and moon. Its principle depends upon measuring the pressure of the atmosphere by its effect in compressing

a column of common air. For this purpose are employed an elastic fluid or gas, different from air (hydrogen gas is best), and any liquid, except quicksilver, not liable to be acted upon by the gas which it confines, nor by the air, to a contact with which it is in some measure exposed. This liquid as used, is an unctuous oil—almond oil coloured with anchusa root. The whole is inclosed in a tube with double bulbs and fitted to a common thermometer.

New Hygrometer.—An instrument of extremely susceptible powers has also recently been invented by Mr. Adie, composed of a small bag made of the internal membrane of the *arundo phragmites*, and fitted like a bulb to the lower end of a thermometer tube. It is then filled with quicksilver, which rises and falls in the tube agreeably to the rapid and very sensible changes that take place in the contraction and dilatation of the membrane from the humidity or dryness of the atmosphere. The inventor proposes to form convenient portable hygrometers, by employing a slip of this membrane, and attaching its extremities to the end of a lever, something like the small pocket thermometers. Mr. Adie says, that in sensibility, this membrane exceeds any thing he ever met with.

New Method of making Single Microscopes.—Various methods have at different times been described, by means of which persons of ordinary ingenuity may construct for themselves single microscopes of a very high magnifying power, and possessing a very considerable degree of distinctness.

The most common method is to take up with a point of a wetted wire several small fragments of crown glass, and to hold them in the flame of a candle till they fall down in the form of a small globule. Another method consists in drawing out a thin strip of glass into threads, and holding the extremities of the threads in the flame of a candle, till round globules are formed upon them. These globules being carefully detached, are placed between two plates of lead, copper, or brass, the fractured part being carefully kept out of the field of view. The method recommended by Mr. Stephen Gray, of making microscopes of drops of water, can be considered in no other light than as an amusing experiment; and the single microscopes made by drops of transparent varnish, upon one or both sides of a plate of glass, as proposed and tried by Dr. Brewster, though they give excellent images, are still deficient both in portability and durability.

The defect of the glass globules formed by the ordinary methods is, that we cannot increase their diameter beyond a very small size; that it is difficult to give them a perfect figure; and that there is considerable trouble in fixing them in the brass or copper after they are made.

The following method, recently proposed and executed by Mr. Sivright, is free from the greater part of these defects, and we have no doubt will be considered as a valuable acquisition by those who either cannot afford to purchase expensive microscopes, or who are at such a distance from an optician that they cannot be supplied in any other way.

Take a piece of platinum leaf about the thickness of tinfoil, and make two or three circular holes in it, from one-twentieth to one-tenth of an inch in diameter, and at the distance of about half an inch from each other. In the holes put pieces of glass which will stick in them without falling through, and which are thick enough to fill the apertures. When the glass is melted at the flame of a candle with the blow-pipe, it forms a lens which adheres strongly to the metal, and which is therefore formed and set at the same time. The pieces of glass used for this purpose should have no mark of a diamond or file upon them, as the mark always remains, however strongly they are heated with the blow-pipe.

The lenses which were made larger than one-tenth of an inch were not so good as the rest, and the best were even of a smaller size than one-tenth. As the lenses thus formed sometimes contain air-bubbles, the best way is to make several, and select those which are most free from faults. An eye or loop, made by bending the extremity of a platinum wire, may be used instead of the platinum leaf.

The reason for using platinum is, that the glass is more easily and more perfectly melted in this than in other metals, which may perhaps arise from its being a bad conductor of heat, and from its preserving its brightness. As platinum does not oxidate, the glass adheres better to the edges of the hole, and it may be used very thin, as it does not melt with the heat necessary for the complete fusion of the glass.

Mr. Sivright has likewise suc-

ceeded in forming, what, in so far as we know, was never attempted, plano-convex lenses by means of fusion. In order to do this, he took a plate of topaz, with a perfectly flat and polished natural surface, which is easily obtained by fracture; and having laid a fragment of glass upon it, he exposed the whole to an intense heat. The upper surface of the glass assumed a spherical surface in virtue of the mutual attraction of its parts, and the lower surface became perfectly flat and highly polished, from its contact with the smooth plate of topaz.

Discovery in Hydraulics.—Messrs. Croissen, brothers, both pupils of the Polytechnic School, and one of them commandant of artillery, have engaged to supply a small portable steam engine, which will raise water to the height of sixty feet, at the rate of fifteen quarts per minute. The machine will consume no more than the value of one pennyworth of coals in an hour, to raise nine hundred quarts of water to this height. It will cost six hundred francs, and will last more than a hundred years. No payment is required till the engine has been tried, and given satisfaction; till it is fixed, and raises the water from the well to the roof of the House, which will thus be secured against fire. They offer, for progressive prices, machines which shall raise double, triple, decuple quantities of water, to double triple, decuple heights, (*i. e.* 120, 180, or 600 feet) and this in infinite progression.

Structure of the Diamond.—Respecting this substance a phenomenon has been discovered by Dr. Brewster, that promises to throw considerable light on its

origin and mode of formation:—namely the existence of small portions of air within both the diamond and amber, the expansive force of which has communicated a polarizing structure to the parts in immediate contact with the air. This structure is displayed by four sectors of polarized light, encircling the globule of air, and can be produced artificially either in glass or gelatinous masses by a compressing force, propagated circularly from a point. It is obvious that such an effect cannot arise from any mode of crystallization; were any proof of this necessary it would be sufficient to state, that not the slightest trace of it had ever been observed by Dr. B. in upwards of 200 mineral substances which he had examined; nor in any of the artificial salts formed from aqueous solution. It can, therefore, arise only from the expansive force exerted by the included air on the diamond and the amber, *when they were in such a soft state as to be susceptible of compression from so small a force.* That this compressible state of the diamond could not arise from the action of heat is manifest from the nature and the recent formation of the soil in which it is found. That it could not exist in a mass formed by aqueous depositions, is still more obvious, and hence we arrive at the conclusion (rendered probable by other analogies), that like amber, the diamond originates from the consolidation of perhaps vegetable matter, which gradually acquires a crystalline form, by the influence of time and the slow action of corpuscular forces. These results were obtained with flat

diamonds regularly crystallized, but on examining Mr. Allan's collection, Dr. Brewster found one of a perfectly octohedral form, having the same structure, and containing also an air-bubble of considerable size, which by its expansion had produced the polarizing structure already described.

Electrical Experiment.—Place a thin piece of tin-foil vertically between two horizontal and insulated rods of brass, each terminated by a knob, and distant from each other between one and two inches, then pass from one to the other a strong charge of a large electrical battery: the plate of tin will be found pierced by two holes, with their burs in opposite directions. That the experiment may succeed, the tin-foil should be thin, and the charge strong, otherwise only two impressions will be seen on the plate.

REWARDS BESTOWED BY THE SOCIETY FOR THE ENCOURAGEMENT OF ARTS.

To Mr. W. Wyon, of the Royal Mint, for the Dies of the new large Medal of the Society, designed and executed by him, and presented by him to the Society, the first Gold Medal.

In Agriculture and Rural Economy.

1. To the Duke of Devonshire, for planting 550 acres with Forest Trees, the large Gold Medal.

2. To J. Ridgway, esq. of Ridgmont, near Bolton, Lancashire, for reclaiming 81 acres of Waste land, the large Gold Medal.

In Chemistry and Mineralogy.

1. To S. Hibbert, M.D. Hill-Place, Edinburgh, for the Discovery of Chromate of Iron in Shetland, the smaller, or Isis, Gold Medal.

2. To Mr. H. Stokes, Hatton Garden, for a Hydrometer, the smaller, or Isis, Silver Medal, and Ten Guineas.

3. To Mr. R. Jamieson, Glasgow, for a Marine Thermometer Case, the large Silver Medal.

4. To Mr. J. Rose, Coalport, Shropshire, for his improved Glaze for Porcelain, the smaller, or Isis, Gold Medal.

*In Polite Arts.**Honorary Class.—1. Original.*

1. To Mr. W. Johns, Plymouth, for a Drawing of Butterflies from Nature, the smaller, or Isis, Silver Medal.

2. To Miss E. Coppin, Norwich, for an Oil Painting of Flowers, the large Gold Medal.

3. To Miss Fr. Strickland, Righton, Yorkshire, for a Drawing of Flowers in Water Colours, the smaller, or Isis, Silver Medal.

4. To Miss A. Woodyear, Dulwich, for a Drawing of Flowers in Water Colours, the smaller, or Isis, Silver Medal.

2. Copies.

5. To Mr. R. Turner, Great Hermitage-street, Wapping, for an Oil Painting of a Burgomaster and his Wife, the large Silver Medal.

6. To Mr. W. J. Smith, Upper Conway-street, Fitzroy-square, for a Pen and Ink Drawing of Figures of Two Dogs, the large Silver Medal.

7. To Miss Copland, Fountain Hall, Aberdeen, for a Landscape

in Oil, the smaller, or Isis, Silver Medal.

8. To Miss S. Gage, Kentish Town, for a Landscape in Oil, the large Silver Medal.

9. To Miss Stephen, Dorset-square, for a Portrait in Oil, the smaller, or Isis, Silver Medal.

10. To Miss J. Murray, Paragon, Kent-road, for a Chalk Drawing of Figures, the Silver Palette.

11. To Miss A. Beaumont, Poland-street, for an Oil Painting of the Golden Age, from West, the large Silver Medal.

12. To Miss H. S. Smith, East-street, Red-Lion-square, for a Drawing in Indian Ink of Samuel and Eli, the large Silver Medal.

*Class for Artists and others.**1. Original.*

13. To Mr. P. Williams, Hart-street, Covent Garden, for a Landscape in Water Colours, the large Silver Medal.

14. To Mr. H. Wincles, Colebrook-row, Islington, for a Pen and Ink Drawing of St. Mary's-abbey, York, the smaller, or Isis, Silver Medal.

15. To Mr. H. Ross, Charlotte-street, Fitzroy-square, for a Portrait of a Lady in Water Colours, the smaller, or Isis, Gold Medal.

16. To Mr. W. Edwards, Perceval-street, Northampton-square, for a Portrait in Oil, the large Silver Medal.

17. To Miss Cotton, Chichely, near Newport Pagnel, for a Water-Colour Painting of Fruit and Flowers, the large Silver Medal.

18. To Miss M. Ross, Upper Charlotte-street, Fitzroy-square, for Portraits of Two Children in Water Colours, the Silver Palette.

19. To Miss G. Huntly, Buck-

ingham-place, Fitzroy-square, for a miniature of the Duke of Gordon, the large Silver Medal.

20. To Miss A. Gaitskell, Paragon, Kent-road, for a Drawing in Water Colours of Fruit and Flowers, the large Silver Medal.

2. Copies.

21. To H. H. White, esq. Lincoln's-inn, for a Chalk Drawing of a Lioness, the smaller, or Isis, Silver Medal.

22. To Mr. F. Say, Norton-street, Mary-le-bone, for Two Heads in Coloured Crayons, the large Silver Medal.

23. To Mr. W. Giller, Bath, for a Copy, in Pencil, of a Landscape from Wilson, the smaller, or Isis, Silver Medal.

24. To Mr. J. A. Cahusac, Lucas-street, Commercial-road, for a Pen and Ink Drawing of the Death of Wat Tyler, the Silver Palette.

25. To Mr. I. H. Farrer, Euston-street, Euston-square, for a Landscape in Water Colours, the smaller, or Isis, Silver Medal.

26. To Mr. H. Crellin, Ratcliffe Highway, for a Chalk Drawing of West's Eve, the Silver Palette.

27. To Mr. J. Davis, New Bond-street, for a Head of Minerva, in Water Colours, the smaller, or Isis, Silver Medal.

28. To Mr. J. Kennedy, New Bond-street, for a Drawing, in Water Colours, of a Figure, the Silver Palette.

29. To Mr. J. G. Jackson, Lower Brook-street, for a Landscape in Water Colours, the Silver Palette.

30. To Mr. H. C. Slous, Camden Town, for a Portrait in Oil, from Rembrandt, the large Silver Medal.

31. To Mr. W. Armer, jun. Ranelagh-street, Pimlico, for a Portrait in Oil, from Rembrandt, the smaller, or Isis, Silver Medal.

32. To Mr. W. Watts, Hampstead, for a Portrait in Oil, from Rembrandt, the large Silver Medal.

33. To Mr. C. W. Pegler, Newcastle-street, Strand, for a Portrait in Oil, the smaller, or Isis, Silver Medal.

34. To Miss Hart, Paternoster-row, Bishopsgate, for a Chalk Drawing of Figures, the Silver Palette.

35. To Miss L. C. Vassar, Rathbone-place, for a Miniature, the Head of Christ, the large Silver Medal.

36. To Miss Turner, Warren-street, Fitzroy-square, for a Chalk Drawing of a Goat, the Silver Palette.

37. To Miss Winn, Bath, for a Drawing of Flowers, in Water Colours, the Silver Palette.

Drawings from Figures and Busts.

38. To Mr. J. C. Thurston, British Museum, for a Chalk Drawing of the Elgin Theseus, the Silver Palette.

39. To Mr. J. Wood, High-street, Whitechapel, for a Chalk Drawing, from the statue of Libera, in the British Museum, the large Silver Medal.

40. To Mr. G. Presbury, Upper John-street, Fitzroy-square, for a Chalk Drawing from the statue of Hercules, in the British Museum, the Silver Palette.

41. To Mr. W. Bagg, Frith-street, Soho, for a Chalk Drawing from the Ilissus, in the Elgin Collection, the large Silver Medal.

Original Architectural Designs.

42. To Mr. R. Kelsey, Wilson-street, Finsbury-square, for a Design for a National Museum, the Silver Medallion.

43. To Mr. E. Taylor, Salisbury-street, Strand, for a Design for a National Museum, the smaller, or Isis, Silver Medal.

44. To Mr. E. Jones, Providence-street, Finsbury-square, for a Design for a National Museum, the smaller, or Isis, Silver Medal.

Models.—1. Original.

45. To Mr. W. Scoular, Edinburgh, for a Group, Brutus and his Sons, the smaller, or Isis, Gold Medal.

46. To Mr. J. Dinham, Pimlico, for his Restoration of the Ilissus, of the Elgin Collection, the large Silver Medal.

47. To Mr. F. Mace, Pimlico, for his Restoration of the Ilissus, of the Elgin Collection, the smaller, or Isis, Silver Medal.

2. Copies.

48. To Mr. J. Wyon, Birmingham, for a Head in Miniature, the smaller, or Isis, Silver Medal.

49. To Mr. W. Theed, Dean-street, Soho, for a figure of Hercules, from the British Museum, the Silver Palette.

50. To Mr. R. B. Hughes, Long-acre, for a copy of the Barbarini Faun, the large Silver Medal.

Medal Die Engravings.

51. To Mr. B. Faulkner, Birmingham, for a Group, the large Silver Medal.

52. To Mr. T. J. Wells, Birmingham, for a Head of Christ, the smaller, or Isis, Silver Medal.

53. To Mr. S. Henning, Pen-

tonville, for five Intaglios, the large Silver Medal.

54. To Mr. A. Harrison, Charlotte-street, Rathbone-place, for a Parallel Ruler, the smaller, or Isis, Silver Medal.

In Mechanics.

1. To Mr. Austen, Waltham Abbey, for his improvement in Corn Mills, the large Silver Medal.

2. To Mr. R. Pering, Clerk of the Cheque, Plymouth Dock, for an improved Mud Boat, the large Silver Medal.

3. To Mr. F. C. Cherry, Percy-mews, Rathbone-place, for improved Springs and Blocks for Carts, the large Silver Medal.

4. To Mr. J. Smith, Newcastle-street, Fleet-market, for an improved Umbrella, the smaller, or Vulcan, Silver Medal, and Five Guineas.

5. To Mr. J. White, Laystall-street, Liquorpond-street, for a double Door Spring, Five Guineas.

6. To Mr. J. Perkins, Austin Friars, for an improved Ship's Pump, the large Gold Medal.

7. To the same, for a method of freeing Water Wheels from back water, the smaller, or Vulcan, Gold Medal.

8. To the same, for improvements in Engine Hose, the large Silver Medal.

9. To Captain G. F. Stack, Thayer-street, Manchester-squ. for an Apparatus for the use of those who have lost an arm, the smaller, or Vulcan, Gold Medal.

10. To Mr. W. Hookey, Assistant Builder, Woolwich Dock-yard, for various improvements in Naval Architecture, the large Gold Medal.

11. To Captain James Burton, R. N. Portsmouth, for a method

of propelling Ships of War, the smaller, or Vulcan, Gold Medal.

12. To Mr. J. Gorman, Oxford-street, for a Spring Bandage, the large Silver Medal.

13. To Mr. J. Prior, Nessfield, near Skipton, for the Striking part of a Clock, the large Silver Medal, and Twenty Guineas.

14. To Messrs. Jeffries and Halley, Great Guildford-street, Southwark, for a Blowing Machine, the large Silver Medal, and Fifty Guineas.

15. To Mr. A. Ainger, Everett-street, for a Spring Latch, the smaller, or Vulcan, Silver Medal.

16. To Mr. O. Elliot, Westminster Bridge Road, for a Safe Coach, the large Gold Medal.

17. To Mr. G. Davies, Cannon-street, for a Sun Dial, the large Silver Medal.

18. To Mr. Joseph Jopling, Somerset-street, Portman-square, for his improved construction of the Ribs of groined Arches, the smaller, or Vulcan, Gold Medal.

19. To Mr. R. King, Thames-street, Bankside, for his improved method of making Anvils, the smaller, or Vulcan, Silver Medal, and Five Guineas.

20. To Mr. W. Bullock, Star-court, Compton-street, Soho, for a Ball Valve for Cisterns, Five Guineas.

21. To Mr. J. Skinner, Dean-street, Holborn, for a Machine for sweeping Chimnies, the lesser, or Vulcan, Silver Medal, and Ten Guineas.

22. To Mr. H. C. Jennings, Carburton-street, Fitzroy-squ. for a Mercurial Log Glass, the large Silver Medal.

23. To A. H. Holdsworth, esq. M. P. Dartmouth, for an improv-

ed method of constructing Roofs, the large Silver Medal.

24. To Mr. W. Hardy, Wood-street, Coppice-row, Cold Bath-fields, for a detached Clock Escapement, the large Gold Medal, and Fifty Guineas.

25. To Mr. H. Trengrouse, Truro, for an Apparatus for saving Lives in the case of Shipwreck, the large Silver Medal, and Thirty Guineas.

In Colonies and Trade.

To Mr. J. F. Denovan, Leith, for Curing British Herrings, Fifty Pounds.

LIST OF PATENTS.

Francis Fox, the younger, of Derby, doctor in physic, for a method of facilitating and ensuring the discharge of fire-arms and artillery of every description.—Jan. 15, 1820.

John Leberecht Steinhauser, of Moffat Terrace, City-road; for an improvement on portable lanterns, or lamps, applicable to various purposes.—Jan. 15, 1820.

James Thom, of Well-street, St. Mary-le-bone, piano-forte-maker, and William Allen, of Castle-street, in the same parish; for an improvement in piano-fortes.—Jan. 15, 1820.

Phillips, London, the younger, of Cannon-street, practical chemist; for a method of destroying or decomposing the offensive vapour arising from animal or vegetable matter when heated.—Jan. 25, 1820.

John Moody, of Margate, Kent; for an ink-stand, containing carbonaceous and extractive matter in a dry state, which, with the

addition of water only, will supply ink.—Jan. 25, 1820.

George and William Shoo-bridge, Houndsditch; for a substitute for flax or hemp, and for manufacturing the same for all purposes for which flax or hemp are used.—Feb. 5, 1820.

James Huggett, Hailsham, Sussex; for a machine to be attached to carriages as a substitute for a drag, to regulate the speed, and to prevent accidents in going down hill, or in other perilous situations.—Feb. 20, 1820.

Frederick Mighells Van Heythuysen, of Sidmouth-street, St. Pancras; for a method of making portable machines to be placed upon a desk or table, and so contrived as to fold or not into a small compass, made of wood, brass, or other metal, to support a silken shade, made for the purpose of protecting the eyes from a strong light; added to which is a green, blue, or other coloured glass, in a frame, and in such a position, that when placed opposite a window, lamp, or candle, it will take off the glare of white paper, by sliding a green or blue, or other shade, dependent upon the colour of the glass reflector, upon the book or paper placed within the bounds of its shadow, so that print, however small, or writing, is rendered more plain or legible, by reason of the glare being thus taken off the white paper by day, and particularly by candle light; by this means the eyes of the reader or writer will be relieved from injuriously dwelling upon a white surface.—March 18, 1820.

Abraham Henry Chambers, of Bond-street, Middlesex, esq.; for an improvement in the preparing or manufacturing substances for

the formation of the high-ways and other roads; which substances, when so prepared, are applicable to other useful purposes.—March 18, 1820.

Robert Franks, of Red Cross-street, hat-manufacturer; for an improved method of manufacturing water-proof hats, to be made of silk, wool, or beaver, or other fur, the brims of which are perfectly water-proof, and will, in all weathers, and in every climate, preserve their original shapes, being stiffened without the use of glue, or any other material which would prevent the effect of water-proof mixture.—March 18, 1820.

Francis Lambert, of Coventry-street, St. James's, Westminster, Middlesex, Silversmith and Jeweller; for a new method of mounting and producing, and also removing, preserving, and replacing the figure in weaving gold and other laces.—April 11, 1820.

Henry Constantine Jennings, of Carburton-street, Fitzroy-square, St. Pancras, Middlesex, esq.; for a lock or fastening for general use.—April 11, 1820.

Thomas Burr, of Shrewsbury, Salop, Plumber; for certain improvements in machinery for manufacturing lead and other metal into pipe and sheets.—April 11, 1820.

William Hall and William Rostill, of Birmingham, Warwickshire, Tortoise-shell-box-makers; for a certain improvement in the manufacture of hafts, handles, or hilts, for knives, forks, swords, or any other instruments to which they are necessary, and can be applied, whether made of turtle or tortoise shell, or other suitable material. April 11, 1820.

Edward Coleman, professor of

the Veterinary college, St. Pancras, Middlesex; for a new and improved form of construction of shoes for horses. April 15, 1820.

Major Rohde, of Leman-street, Goodman's-fields, Middlesex, sugar refiner; for a method of separating or extracting the molasses or syrup from Muscovado or other sugar. Communicated to him by a certain foreigner residing abroad. April 15, 1820.

William Brunton, of Birmingham, Warwickshire, engineer; for certain improvements on, and additions to, fire-grates. April 19, 1820.

George Lilley, of Brigg, and James Bristow Fraser, of Blackburn-house, Linlithgow, Scotland; for certain improvements in the application of machinery for propelling boats or other vessels, and for attaining other useful purposes, by means of an hydropneumatic apparatus, acted upon by a steam-engine, or other adequate power. April 19, 1820.

Thomas Hancock, of Little Pulteney-street, Golden-square, Middlesex, Coachmaker; for the application of a certain material to various articles of dress, and other articles, by which the same may be rendered more elastic. April 29, 1820.

Thomas Cook, of Brighton, Sussex, engineer; for an improved apparatus for the purpose of cooking, which he designates, a Philosophical Cookery. April 29, 1820.

John Hague, of Great Pearl-street, Spitalfields, Middlesex, engineer; for certain improvements in the method of heating hot-houses, manufactories, and other buildings; and of boiling liquids. May 9, 1820.

John Ambrose Tickell, of West

Bromwich, Staffordshire, gentleman; for a cement to be used in aquatic and other buildings, and stucco-work, which is produced by the use and application of a mineral substance, never before employed in the manufacture thereof. May 9, 1820.

Josiah Parkes, of Warwick, worsted manufacturer; for a new and improved method of lessening the consumption of fuel in steam-engines, and furnaces in general, and for consuming smoke. May 9, 1820.

James Jacks, of Camberwell, Surrey, gentleman, and Arthur Aikin, of the Adelphi, Westminster, gentleman; for a new or improved method or methods of preventing mildew in sail-cloth and other canvass, and in other manufactures made of vegetable fibre. May 11, 1820.

James Scott, of Grafton-street, Dublin, watch-maker; for a new method of combining, adjusting, and applying, by machinery, certain of the well-known mechanic powers, and modifications thereof, where power and velocity are required. May 11, 1820.

John Malam, of Romney-terrace, Horseferry-road, Westminster, engineer; for certain improvements on gasometers. May 11, 1820.

Robert Wornum, of Wigmore-street, Cavendish-square, pianoforte-maker; for an improvement on piano-fortes, and certain other stringed instruments. May 13, 1820.

John Barton, of Falcon-square, London, engineer; for certain improvements in propelling vessels, and in the construction of engines and boilers applicable to propelling, and other purposes. May 15, 1820.

Richard Watts, of Crown-court,

Temple-bar, Middlesex, printer; for improvements in inking printing types with rollers, and in placing and conveying paper on types, and in inking with a cylinder. May 15, 1820.

Edward Massey, of Eccleston, Lancashire, watch-manufacturer; for certain improvements in the construction of chronometers and pocket-watches. May 19, 1820.

John Hague, of Great Pearl-street, Spitalfields, Middlesex, engineer; for an improvement in preparing the materials for making pottery-ware, tiles, and bricks. June 2, 1820.

William Bate, of Peterborough, Northamptonshire, esq.; for a combination of, and additions to, machinery calculated to increase power. June 3, 1820.

William Bate, of Peterborough, Northamptonshire, esq.; for certain improvements in preparing hemp, flax, or other fibrous material, for spinning. June 3, 1820.

Simeon Teissier, of Paris, but at present residing in Bucklersbury, London, merchant; for certain improvements in propelling vessels. Communicated to him by a certain foreigner residing abroad. June 3, 1820.

Jacob Perkins, late of Philadelphia, America, but now residing at Austin Friars, London, engineer; for certain improvements in the construction of fixed and portable pumps, such as pumps fixed for raising water from wells and other situations, or ships' pumps; or for portable pumps, which may be employed for garden-engines, or in engines for extinguishing fires, or other purposes. June 3, 1820.

John Read, of Horsmanden, Kent, gentleman; for an im-

provement on syringes. July 11, 1820.

James White, of Manchester, Lancashire, civil engineer; for certain new machinery, adapted to preparing and spinning wool, cotton, and other fibrous substances, and uniting several threads into one; and also certain combinations of the said new machinery with other machines, or with various parts only of other machines already known and in use. July 11, 1820.

Samuel Fletcher, of Walsall, Staffordshire, sadler's-ironmonger; for an improvement on, or additions to, saddles, saddle-straps, saddle-girths, and saddle-cloths, by the application of certain known materials, hitherto unused for that purpose. July 11, 1820.

William Davis, late of Brimscomb, but now of Bourne, near Minchin Hampton, Gloucestershire, engineer; for certain improvements in machinery for shearing or cropping woollen and other cloths requiring such process. July 11, 1820.

John Grafton, of Edinburgh, civil engineer; for a new and improved method or methods of distilling the products of coal, and carbonising coal, in the process of making gas used for the purpose of illumination. July 11, 1820.

Matthew Bush, of Battersea-fields, Surrey, calico-printer; for an improvement on a machine, now in use, for printing silks, linens, calicos, woollens, and other similar fabrics; by means of which improvement shawls and handkerchiefs can be printed with one or more colour or colours, and whereby linens, calicos, silks, woollens, and other fabrics of the

like nature, intended for garments, can be printed with two or more colours. July 20, 1820.

Robert Bowman, of Manchester, Lancashire; for improvements in the construction of looms for weaving various sorts of cloths, which looms may be set in motion by any adequate power. July 20, 1820.

John Hague, of Great Pearl-street, Spitalfields, Middlesex, engineer; for certain improvements in the making and constructing of steam-engines. June 3, 1820.

John Wakefield, of Ancott's-place, Manchester, Lancashire, engineer, for certain improvements in the construction of furnaces for boilers of various descriptions, and in the mode of feeding the same with fuel: which improvements are calculated to lessen the consumption of fuel, and to burn the smoke. June 6, 1820.

William Kendrick, of Birmingham, Warwickshire, Chemist; for the manufacture of a liquid from materials now considered useless for that purpose, and the application of the same liquid to the tanning of hides, and other articles requiring such process. June 6, 1820.

Jonathan Brownell, of Sheffield, Yorkshire, table-knife-cutter; for a method of better securing the blades of table-knives and forks in the handles, by means of caps being soldered upon the tangs, whether of iron, steel, or other material, after the handles are upon them. June 8, 1820.

Samuel Parker, of Argyle-street, Middlesex, bronzist; for an improved lamp. June 15, 1820.

William Erskine Cochrane, of

Somerset-street, Portman-square, Middlesex, esq.; for an improvement in the construction of lamps. June 17, 1820.

Joseph Woollams, of Wells, Somersetshire, land agent; for certain improvements in the teeth or cogs formed on, or applied to, wheels, pinions, and other mechanical agents, for communicating or restraining motion. June 20, 1820.

John Butter Lodge, and John Billeston, junior, both of the Strand, Middlesex, truss-makers; for certain improvements in the construction and application of spring-trusses, or bandages, for the cure of hernia. June 20, 1820.

John Vallance, of Brighton, Sussex, brewer; for a method and apparatus for freeing rooms and buildings (whether public or private) from the distressing heat sometimes experienced in them, and of keeping them constantly cool, or of a pleasant temperature, whether they are crowded to excess or empty, and also whether the weather be hot or cold. June 20, 1820.

John Vallance, of Brighton, Sussex, brewer; for a method and apparatus for packing and preserving hops. June 20, 1820.

John Shaw, of Mary-street, Fitzroy-square, Middlesex, watch-maker; for a new method of making bricks by machinery. June 21, 1820.

James Harcourt, of Birmingham, Warwickshire, brass-founder; for an improvement in castors applicable to tables and other articles. June 21, 1820.

Job Rider, of Belfast foundry, Ironmonger; for certain improvements which produce a concentric and revolving eccentric motion,

applicable to steam-engines, water-pumps, mills, and other machinery. July 20, 1820.

William Dell, of Southampton, auctioneer; for an improvement in gun-barrels. July 20, 1820.

Henry Botfield Thomason, son of Edward Thomason, of Birmingham, Warwickshire, manufacturer; for certain improvements in the making and manufacturing of cutlery, viz. that class of cutlery called or styled table-knives, dessert-knives, fruit-knives, pocket-knives, scissors, razors, and surgical instruments. July 20, 1820.

John Hudswell, of Addle-street, London, wafer manufacturer; for an improvement in the manufacture of wafers. July 20, 1820.

James Harvie, late of Berbice, now in Glasgow, engineer; for improvements in the construction of machines, commonly called ginning machines, and which are employed in separating cotton-wool from the seeds. Communicated to him by certain persons residing abroad. August 18, 1820.

George Millichap, of Worcester, coach-maker; for an improvement on axle-trees and boxes. August 18, 1820.

Robert Frith, of Salford, Lancashire, dyer; for improvements in the method of dyeing and printing various colours, so as to fix or make the same permanent or fast, on cottons, linens, silks, mohair, worsted, and woollens, straw, chip, and leghorn. October 9, 1820.

William Harvey, of Belper, Derbyshire, ropemaker; for certain improvements in the manufacture of ropes and belts by machinery, and also improvements in the said machinery. October 12, 1820.

Richard Witty, of Sculcoates, Yorkshire, engineer; for certain improvements in pumps, of various constructions, for raising and conveying water and other liquids; and also methods of applying a certain principle, or principles, to ships' pumps, and for other useful purposes. October 16, 1820.

William Acraman the younger, and Daniel Wade Acraman, both of Bristol, iron manufacturers; for certain improvements in the processes of forming the materials for the manufacturing chains and chain-cables. October 16, 1820.

James Richard Gilmour, of King-street, Southwark, and John Bold, of Millpond-bridge, both in Surrey, printers; for certain improvements in printing-presses. October 20, 1820.

Thomas Prest, of Chigwell, Essex, watch and time-piece-maker; for a new and additional movement applied to a watch, to enable it to be wound up by the pendant knob, without any detached key or winder. October 20, 1820.

Joseph Main, of Bagnio-court, Newgate-street, London, esq.; for certain improvements in wheel-carriages. October 20, 1820.

John Bickinshaw, of Bedlington iron works, in the county of Durham, for improvements in manufacturing and construction of a wrought or malleable iron rail road or way. Oct. 23.

William Taylor, of Wednesbury, Staffordshire, furnace-worker, for an improved furnace for smelting iron and other ores. Oct. 23.

Thompson Pearson, of South Shields, for an improvement in rudders. Nov. 1.

Henry Lewis Lobeck, of Tower-

street, London, for an improvement in the process of making yeast. (Communicated by a foreigner to him.) Nov. 1.

Samuel Wellman Wright, of Upper Kensington, Surrey, for a combination in machinery for making bricks and tiles. Nov. 1.

Peter Hawker, of Long Parish House, near Andover, for a machine, instrument, or apparatus, to assist in the proper performance on the piano-forte, or other keyed instruments. Nov. 1.

Thomas Bonsor Crompton, of Farmworth, Lancaster, for an improvement in drying and finishing paper, by means hitherto unused for that purpose. Nov. 1.

William Swift Torey, of Lincoln, for certain improvements in drills, to be affixed to ploughs. Nov. 1.

John Winter, esq. of Acton, Middlesex, for improvements on chimney-caps, and in the application thereof. Nov. 7.

William Carter, of St. Agnes Circus, Old-street road, printer, for improvements in steam-engines. Nov. 11.

Thomas Dyson, of Abbey Dale, Sheffield, for an improvement, or improvements of plane irons and turning chisels. Nov. 11.

James Ransome, of Ipswich, iron-founder, and Robert Ransome, of Colchester, iron-founder, for an improvement upon an invention by James Ransome, for which he now hath a patent, June 1, 1816, for certain improvements on ploughs. Nov. 28, 1820.

William Kendrick, of Birmingham, chemist, for a combination of apparatus for extracting a tan-

ning matter from bark and other substances containing such tanning matter. Dec. 5.

Thomas Dobbs, of Smallbrook-street, for a mode of uniting together, or plating, tin upon lead. Dec. 9.

John Moore, jun. of Castle-street, Bristol, for a certain machine or machinery, which may be worked by steam, by water, or by gas, as a moving power. Dec. 9.

George Vaughan, of Sheffield, for a blowing machine, on a new construction, for the fusing and heating of metals, smelting of ores, and supplying blast for various other purposes. Dec. 14.

William Mallet, of Marlborough-street, Dublin, for improvements on locks, applicable to doors, and to other purposes. Dec. 14.

Andrew Timbrell, of the Old South Sea House, London, for an improvement of the rudder and steerage of a ship or vessel. Dec. 22.

Sir William Congreve, bart. of Cecil-street, Strand, for improvements in printing in one, two, or more colours. Dec. 22.

William Pritchard, of Leeds, for improvements in an apparatus to save fuel, and for the more economical consumption of smoke in shutting fire-doors and air-flues in steam-engine boilers, drying-pans, and brewing-pans, other fire-doors and air-flues. Dec. 22.

Marc Isambard Brunel, of Chelsea, for a pocket copying-press, and also improvements on copying-presses. Dec. 22.

P O E T R Y.

THE CONTRAST.

Written under Windsor Terrace, 17th Feb. 1820.

I SAW him last on this Terrace proud,
Walking in health and gladness,
Begirt with his Court, and in all the crowd,
Not a single look of sadness.

Bright was the sun, and the leaves were green,
Blithely the birds were singing,
The cymbal replied to the tambourine,
And the bells were merrily ringing.

I have stood with the crowd beside his bier,
When not a word was spoken,
But every eye was dim with a tear,
And the silence by sobs was broken.

I have heard the earth on his coffin pour,
To the muffled drum's deep rolling,
While the minute-gun, with its solemn roar,
Drown'd the death-bell's tolling.

The time since he walk'd in his glory thus,
To the grave till I saw him carried,
Was an age of the mightiest change to us,
But to *him* a night unvaried.

We have fought the fight—from his lofty throne
The foe of our land we have tumbled,
And it gladden'd each eye—save his alone
For whom that foe we humbled.

A daughter beloved—a Queen—a son—
And a son's sole child have perish'd;
And sad was each heart, save the only one
By which they were fondest cherish'd.

For his eyes were seal'd, and his mind was dark,
And he sat in his age's lateness,
Like a vision throned,—as a solemn mark
Of the frailty of human greatness.

His silver beard o'er a bosom spread
Unvex'd by life's commotion,
Like a yearly-lengthening snow-drift, shed
On the calm of a frozen ocean.

Still o'er him Oblivion's waters lay,
Though the stream of time kept flowing ;—
When they spoke of our King, 'twas but to say
That the old man's strength was going.

At intervals thus the waves disgorge,
By weakness rent asunder,
A piece of the wreck of the Royal George,
For the people's pity and wonder.

He is gone at length—he is laid in dust—
Death's hand his slumbers breaking,
For the coffin'd sleep of the good and just
Is a sure and blissful waking.

His people's heart is his funeral urn,
And should sculptur'd stone be denied him,
There will his name be found, when in turn
We lay our heads beside him.

H.

LINES ON THE
DEATH OF THE PRINCESS CHARLOTTE.

AMID November's chill and lonesome night,
The moon sat high in mild and lovely light ;
Unto the heaven look'd many an ancient eye,
Hoar heads were bared—and wither'd hands held high ;
'Twas silence all throughout the midnight air—
Save woman's sigh,—or man's sublimer prayer—
To shield the princely mother in her moan,
And bless the world with an illustrious son.

But long before day brighten'd through the gloom,
Came horse and rider wreath'd with sweat and foam ;
He pass'd and spoke not,—and he wiped a brow
Where some dread tidings sat in drops of woe—
Soon in the porches and the streets were seen,
Men with grey locks, old dames, and striplings green ;
And mournful words were rife ; and in the ear
Of youth, age spoke—till he wax'd pale with fear—
For some had seen dread things at dead of night—
Paul's holy dome stream with sepulchral light :
Through the dark city shrieking in a throng
The dead were heard, with wail and funeral song.
Some saw a Form of mild majestic air,
Shake a gold circlet from her shining hair,
Then drop two radiant tears ; and upward sweep
Through the third heaven, and leave the world to weep.
Even while they whisper'd, all at once came on
The voice of lamentation and loud moan ;
From vale to city, came the sound, and shook
A dread like doomsday—through each heart it strook ;
Veil'd virgins wept, and tears wet all their way :
Each old man hid his face and audibly did pray.

Now there came to me—one whose furrow'd cheek
Was wet with tears ; too full his heart to speak,
Upon my head he laid his ancient hand
And sobb'd aloud, and shook drops on the sand ;
“ My son,” he said—but ev'n while on his tongue
The death of my loved lovely Princess hung,
He shook his patriarch locks, and mute pass'd by ;—
He could not name the name he loved so tenderly.

Thou beauteous Princess !—late I saw thee go
Through church and street in bridal pomp and show :
Caps were flung high above the reeking press ;
Glad shouts were there, and clang of smitten brass.

There swept the proud steeds—white as winter snow,
 And the brimm'd wine-cups to the light did glow—
 Ah! who could deem that man would weep this morn
 O'er his high hopes,—and Britain's beauty shorn!

Shrouded she lay—like one in slumber deep—
 And one stood by whose sadness knew no sleep:
 I got one glance but of her forehead fair,
 Her temples white, and her long clustering hair:
 Death from her living charms no lustre took;
 Her meek bright spirit 'lumined still her look.
 Too lovely was she and too good and fair
 For dwelling out of heaven, and breathing mortal air.
 When this head's hoar, and I shall hail afar
 In yon blue vault some new and shining star,
 I'll deem 'tis she in saintly splendour come,
 To shine on Britain in the hour of gloom;
 In every eye she was as light of heaven,—
 The drop of dearest blood unto our bosoms given.

This is no time thy gentle deeds to sing,
 Thy smiles to woo—to want thy ministring;
 To sing this isle's proud hope—and call it mine—
 Of being ruled by a brave race of thine.
 Thou'rt pass'd like a bright vision—and we seem
 Like men whose sorrow wakes from a sweet dream;
 From a sweet dream we wake, and think and mourn
 On what is gone, and never can return.
 There is a flower, whose meek and modest hue
 Shuns the gay sun, to smile mid twilight dew,
 Spreads its green leaf in gladness, giving far
 Its chaste pure bosom to the steadfast star;
 This small fair flower, far sweeter than those born
 In golden fragrance to the sun at morn,
 Showing its blossom to the lark alone,
 Is emblem meet of our lamented One—
 In whom, thou, Prince! hadst from thy bosom riven
 As much of loveliness as earth can yield to heaven.

'Tis not, young prince, to thee alone is doom'd
 To mourn o'er blasted hope, or love entomb'd:—
 Where grass grows green, or golden grain can glow,
 From burning deserts to the eternal snow,
 From pathless mountain to the spicy vale,
 Where birds can soar, or British ships can sail—
 From shepherd's shealing to the sculptur'd stone
 Of tower and temple—all is wail and moan.
 A cry is heard among the mighty ones,
 The good, the great, who keep, or counsel thrones:
 For the wide world has found a theme which seeks
 Sighs from all hearts, and tears from sternest cheeks.

The cold sun sinks in the cold west ; and see
 Its glimmering gold fades fast from tower and tree ;
 The moon is up, and has already given
 Her sober silver to the earth and heaven ;
 Each star is woke, and in man's sight seems dim,—
 Pale as himself—in mild and mournful trim :
 The funeral pomp is near—through the cold air
 Waves torch and plume—and nobles' heads are bare ;
 The moonlight mingles with the grosser flames,
 And rustics' sobs with sighs of high born dames.
 This regal city has flung early out
 Her worth and beauty—not with song and shout,
 But with a sadden'd eye that loves to seek
 The ground, and with a paleness of the cheek.
 Temple and tower and palace peal around
 A holy note—a slow and solemn sound.

Far from the scene where star and torch-light show
 Nobles in tears—and majesty in woe,
 He—who presumes in this sad theme to fling
 His rustic hand o'er an untutor'd string,
 Apart and lonely as his days have flown
 Mute and inglorious—nameless and unknown—
 He too will wail ; and sadly will he call
 His lov'd-one near by his lone cottage wall—
 No lights to 'lumine him—but those which cheer
 An angel's visit—should one visit here.
 He too will ponder on a tender theme—
 Life's passing pageant—Hope's deceiving dream—
 Virtue and sweetness, to our glad isle given,
 Flown like the dew on the lark's wing to heaven—
 Mild maiden majesty fled like the beam
 Of the moist star upon the troubled stream,
 While heaven and earth give sign that God has trust
 Of as much sweetness as death sweeps to dust.
 Rude though his verse be—though it lacks the might
 Of tender Campbell,—or Scott's glowing flight,—
 Rogers elegance—the feeling strong
 Of Byron's lay,—or Southey's noble song,—
 Though he be none of these, at whose high call
 Wealth showers her gems, and gifts of fortune fall,—
 Who come abroad in pomp, and pall, and stand
 With princes and the proud ones of the land :—
 Yet he is one for this sad theme who brings
 A grief as tender as the babe's heart-strings,—
 Can drop as true a tear, as warmly call
 To heaven, as can the mightiest of them all,
 To bless his country, and her kingly line,
 And make them like yon stars—bright, lasting, and divine.

THE IVY.

(By Bernard Barton.)

Dost thou not love, in the season of spring,
 To twine thee a flowery wreath,
 And to see the beautiful birch-tree fling
 Its shade on the grass beneath?
 Its glossy leaf, and its silvery stem,
 O! dost thou not love to look on them?

And dost thou not love, when leaves are greenest,
 And summer has just begun,
 When in the silence of moonlight thou leanest,
 Where glist'ning waters run,—
 To see, by that gentle and peaceful beam,
 The willow bend down to the sparkling stream?

And O! in a lovely autumnal day,
 When leaves are changing before thee,
 Do not nature's charms, as they slowly decay,
 Shed their own mild influence o'er thee?
 And hast thou not felt, as thou stood'st to gaze,
 The touching lesson such scene displays?

It should be thus at an age like thine;
 And it has been thus with me;
 When the freshness of feeling and heart were mine,
 As they never more can be,—
 Yet think not I ask thee to pity my lot,
 Perhaps I see beauty where thou dost not.

Hast thou seen, in winter's stormiest day,
 The trunk of a blighted oak,
 Not dead, but sinking in slow decay
 Beneath time's resistless stroke,—
 Round which a luxuriant ivy had grown,
 And wreath'd it with verdure no longer its own?

Perchance thou hast seen this sight, and then,
 As I, at thy years might do,
 Pass'd carelessly by, nor turned again
 That scathed wreck to view.
 But now I can draw, from that mould'ring tree,
 Thoughts which are soothing and dear to me.

O smile not ! nor think it a worthless thing,
If it be with instruction fraught ;
That which will closest and longest cling
Is alone worth a serious thought !
Should aught be unlovely which thus can shed
Grace on the dying, and leaves not the dead ?

Now in thy youth beseech of HIM
Who giveth, upbraiding not,
That his light in thy heart become not dim,
And his love be unforgot ;—
And thy God, in the darkest of days, will be,
Greenness, and beauty, and strength to thee !

TO THE MOON.

(By the same.)

All hail to thee ! radiant ruler of night !
Shedding round thee thy soft and thy silvery light ;
Now touching the hill-tops, now threading the vale,
Oh ! who can behold thee, nor bid thee all hail ?

The monarch of day more majestic may be,
When he rises in pomp on the verge of the sea ;
When, the clouds that have curtain'd him slowly undrawn,
His magnificence scatters the mists of the morn.

His glory at noon may be greater than thine ;
More splendid and glowing his evening decline,
When the hues of the rainbow illumine the west,
And millions of happy birds sing him to rest :

But not in his rise, in his zenith, nor even
When his parting effulgence irradiates half heaven ;
Though grand and majestic his glory be shown,
Does he shine with a loveliness sweet as thy own.

The pleasures, the cares, and the business of life
Are ever with calm contemplation at strife ;
And, absorb'd in our selfish pursuits, we forget
The sun and his glories, till after his set.

But THOU comest forth when the stir is subsiding,
Like an angel of light through the clear heavens gliding ;
As if to remind us, ere sinking to rest,
Of worlds more delightful, of beings more blest.

Through the path which thy Maker has trac'd thee on high,
 Thou walkest, in silence, across the vast sky;
 Suns and worlds scatter'd round thee, though brilliant they be,
 Appear but like humble attendants on thee.

All silent thyself! yet that stillness appears
 The signal for music, as sweet as the tears
 That the dews of the night o'er the landscape distil,
 Which, seen by thy bright beams, are lovelier still.

For the softest of sounds shed their harmony round,
 More musical far in a calm so profound;
 The murmur of brooks, and the nightingale's song,
 And the sigh of the breeze, sweeping gently along:

These alone form thy orchestra; yet in the hour
 Of thy pensive dominion, and heart-touching power,
 Their exquisite magic seems fraught with a tone,
 To the music of gaudier day-light unknown.

Roll on then, thou radiant ruler of night!
 Exult in thy empire, rejoice in thy light;
 Over mountain and valley, o'er ocean and isle,
 Pour down thy soft splendour, and lavish thy smile.

For *thy* splendour, undazzling, and touchingly sweet,
 Is one that e'en sorrow serenely can greet;
 And thy smile, glist'ning bright on each dew-drop appears
 Bringing hope from on high, forming rainbows in tears.

THE DESTRUCTION OF THE TEMPLE.

(*From Milman's Fall of Jerusalem.*)

JAVAN.

Oh, beauty of earth's cities! throned queen
 Of thy milk-flowing valleys! crown'd with glory!
 The envy of the nations! now no more
 A city——One by one thy palaces
 Sink into ashes, and the uniform smoke
 O'er half thy circuit hath brought back the night,
 Which the insulting flames had made give place
 To their untimely terrible day. The flames
 That in the Temple, their last proudest conquest,
 Now gather all their might, and furiously,
 Like revellers, hold their exulting triumph.
 Round every pillar, over all the roof,
 On the wide gorgeous front, the holy depth
 Of the far sanctuary, every portico,

And every court, at once, concentrated,
As though to glorify and not destroy,
They burn, they blaze——

Look, Miriam, how it stands!
Look!

MIRIAM.

There are men around us!

JAVAN.

They are friends,
Bound here to meet me, and behold the last
Of our devoted city. Look, oh Christians!
Still the Lord's house survives man's fallen dwellings,
And wears its ruin with a majesty
Peculiar and divine. Still, still it stands,
All one wide fire, and yet no stone hath fallen.

Hark—hark!
The feeble cry of an expiring nation.

Hark—hark!
The awe-struck shout of the unboasting conqueror.
Hark—hark!

It breaks—it severs—it is on the earth:
The smother'd fires are quench'd in their own ruins:
Like a huge dome, the vast and cloudy smoke
Hath cover'd all.

And it is now no more,
Nor ever shall be to the end of time,
The Temple of Jerusalem!——Fall down,
My brethren, on the dust, and worship here
The mysteries of God's wrath.

Even so shall perish,
In its own ashes, a more glorious Temple,
Yea, God's own architecture, this vast world,
This fated universe—the same destroyer,
The same destruction——Earth, Earth, Earth behold!
And in that judgment look upon thine own!

HYMN.

Even thus amid thy pride and luxury,
Oh Earth! shall that last coming burst on thee,
That secret coming of the Son of Man.
When all the cherub-throning clouds shall shine,
Irradiate with his bright advancing sign:

When that Great Husbandman shall wave his fan,
Sweeping, like chaff, thy wealth and pomp away:
Still to the noontide of that nightless day,
Shalt thou thy wonted dissolute course maintain.

Along the busy mart and crowded street,
The buyer and the seller still shall meet,
And marriage feasts begin their jocund strain :
Still to the pouring out the Cup of Woe ;
Till Earth, a drunkard, reeling to and fro,
And mountains molten by his burning feet,
And Heaven his presence own, all red with furnace heat.
The hundred-gated Cities then,
The Towers and Temples, nam'd of men
Eternal, and the Thrones of Kings ;
The gilded summer Palaces,
The courtly bowers of love and ease,
Where still the Bird of pleasure sings ;
Ask ye the destiny of them ?
Go gaze on fall'n Jerusalem !
Yea, mightier names are in the fatal roll,
'Gainst earth and heaven God's standard is unfurl'd,
The skies are shrivell'd like a burning scroll,
And the vast common doom ensepulchres the world.
Oh ! who shall then survive ?
Oh ! who shall stand and live ?
When all that hath been, is no more :
When for the round earth hung in air,
With all its constellations fair
In the sky's azure canopy ;
When for the breathing Earth, and sparkling Sea,
Is but a fiery deluge without shore,
Heaving along the abyss profound and dark,
A fiery deluge, and without an Ark.

Lord of all power, when thou art there alone
On thy eternal fiery-wheeled throne,
That in its high meridian noon
Needs not the perish'd sun nor moon :
When thou art there in thy presiding state,
Wide-sceptered Monarch o'er the realm of doom :
When from the sea-depths, from earth's darkest womb,
The dead of all the ages round thee wait :
And when the tribes of wickedness are strewn
Like forest leaves in the autumn of thine ire !
Faithful and True ! thou still wilt save thine own :
The Saints shall dwell within th' unharmed fire,
Each white robe spotless, blooming every palm.
Even safe as we, by this still fountain's side,
So shall the Church, thy bright and mystic Bride,
Sit on the stormy gulf a halcyon bird of calm.
Yes, 'mid yon angry and destroying signs,
O'er us the rainbow of thy mercy shines,
We hail, we bless the covenant of its beam,
Almighty to avenge, Almighty to redeem !

THE VISIONARY.

(From Poems, by one of the Authors of "Poems for Youth, by a Family Circle.")

I have been lonely, even from a child ;
Tho' bound with sweet ties to a happy home,
With all life's sacred charities around me ;
I have been lonely—for my soul had thirst
The waters of this world could not assuage :
I found them bitter, and I had high dreams,
And strange imaginations—yea, I liv'd
Amid my own creations ; and a world
Of many hopes and raptures was within me,
Such as I could not tell of ; for I knew
Such feelings could not bear a sympathy ;
They were too sacred to admit communion,
Too blest to need it—to the fields and woods
Did my heart's fulness pour them ; solitude
Was the expansion of my secret visions,
When I could ask my soul to tell me all,
And many a bright and blessed reverie
Hath cheer'd my wanderings. I have heard sweet music
In my own thoughts ; mysterious harmonies,
Felt, but not understood ; vague, happy musings,
And shadowy sketches of my future fate,
In young and glowing colours. Are they faded ?
—Years are gone by ; and once again I commune
With my own spirit—It is passionless,
And silent now, its loveliest visions over ;
And yet I do not shun this scrutiny.
Tho' I have fed my heart with perishing joys,
They have not been in vain ; for those wild hopes
And noble aims, and all those proud aspirings,
Gave me a loftier being. I have plung'd
Within the maddening wave, unaw'd, to succour
An object of my love. I have stood calm
In danger's fiercest moment, with a trust
Above all mortal peril. I have wander'd
O'er moors and mountains to assuage the woes
Of human kind. In all that could excite
I have been foremost :—then have woke and wept
To feel how little and how weak I was.—

HYMN.

(From Croly's "Sebastian.")

Open ye gates of peace, receive the bride,
 In beauty come to pledge her virgin vow.
 Oh! not with mortal thoughts those cheeks are dyed,
 Those downcast eyes not touch'd with mortal woe;
 Her's are the thoughts that light the seraph's glow,
 When, veiling his bright forehead with his plume,
 He lays before the throne his chaplet low.
 Daughter of princes, heir of glory, come!
 Open ye gates of peace. She triumphs o'er the tomb.

Come, beautiful, betrothed! The bitter sting
 Of hope deferr'd can reach no bosom here,
 Here life is peace, unwreck'd by dreams that spring
 From the dark bosom's living sepulchre.
 At these high gates die sorrow, sin, and fear.
 Woe to the heart where passion pours its tide;
 Soon sinks the flood to leave the desert there;
 Here love's pure stream with hues of heaven is dyed.
 Come, stainless spouse. Ye gates of peace receive the bride!

FINIS.

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THE END.

E R R A T A.

P. 438, col. 1, for *Davison* read *Davidson*.

499 and 500 do. do.

572, col. 2, 4th line from bottom, for *Baize* read *Balzac*.

592, col. 9, dele C, opposite the name of the duke of Cambridge,
his royal highness not voting on the question, not
being in England at the time.

